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Part

2

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Laws and Regulations

Volume 143

Summary

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Part 2 – LAWS AND REGULATIONS

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Coming into force of Acts

Gouvernement du Québec

O.C. 1213-2011, 30 November 2011

An Act respecting the governance of state-owned enterprises and amending various legislative provisions (2006, c. 59)

— **Coming into force of a provision of the Act**

COMING INTO FORCE of a provision of the Act respecting the governance of state-owned enterprises and amending various legislative provisions

WHEREAS the Act respecting the governance of state-owned enterprises and amending various legislative provisions (2006, c. 59) was assented to on 14 December 2006;

WHEREAS, under section 161 of the Act, the Act came into force on 14 December 2006, except paragraph 1 of section 43, which comes into force on the date to be set by the Government and not later than 14 December 2011;

WHEREAS it is expedient to set 30 November 2011 as the date of coming into force of paragraph 1 of section 43 of the Act respecting the governance of state-owned enterprises and amending various legislative provisions;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT 30 November 2011 be set as the date of coming into force of paragraph 1 of section 43 of the Act respecting the governance of state-owned enterprises and amending various legislative provisions.

GILLES PAQUIN,
Clerk of the Conseil exécutif

1784

Gouvernement du Québec

O.C. 1220-2011, 30 November 2011

Code of ethics and conduct of the Members of the National Assembly (2010, c. 30)

— **Coming into force of certain provisions of the Code**

COMING INTO FORCE of certain provisions of the Code of ethics and conduct of the Members of the National Assembly

WHEREAS the Code of ethics and conduct of the Members of the National Assembly (2010, c. 30) was assented to on 8 December 2010;

WHEREAS, under section 133 of the Code, the Code came into force on 8 December 2010, except sections 42 and 51 to 55, the second paragraph of section 71, sections 87, 88 and 108 to 112, which came into force on 1 July 2011, sections 37 to 40, which came into force on 1 October 2011, and sections 10 to 36, 41, 43 to 50, 56 to 61, 79, 91 to 107 and 114 to 129, which come into force on the date to be set by the Government, which may not be later than 1 January 2012;

WHEREAS it is expedient to set 1 January 2012 as the date of coming into force of sections 10 to 36, 41, 43 to 50, 56 to 61, 79, 91 to 107 and 114 to 129 of the Code;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT 1 January 2012 be set as the date of coming into force of sections 10 to 36, 41, 43 to 50, 56 to 61, 79, 91 to 107 and 114 to 129 of the Code of ethics and conduct of the Members of the National Assembly (2010, c. 30).

GILLES PAQUIN,
Clerk of the Conseil exécutif

1785

Gouvernement du Québec

O.C. 1232-2011, 30 November 2011

Unclaimed Property Act

(2011, c. 10)

**— Coming into force of certain provisions
of the Act**

COMING INTO FORCE of certain provisions of the
Unclaimed Property Act

WHEREAS the Unclaimed Property Act (2011, c. 10)
was assented to on 13 June 2011;

WHEREAS, under section 105 of the Act, the Act came
into force on 13 June 2011, except sections 30, 57, 64,
81 and 92, which come into force on the date or dates to
be set by the Government;

WHEREAS it is expedient to set 1 January 2012 as
the date of coming into force of sections 30, 57, 64, 81
and 92 of the Act;

IT IS ORDERED, therefore, on the recommendation of
the Minister of Revenue:

THAT 1 January 2012 be set as the date of coming into
force of sections 30, 57, 64, 81 and 92 of the Unclaimed
Property Act (2011, c. 10).

GILLES PAQUIN,
Clerk of the Conseil exécutif

1786

Regulations and other Acts

Gouvernement du Québec

O.C. 1187-2011, 30 November 2011

Food Products Act
(R.S.Q., c. P-29)

Food

— Amendment

Regulation to amend the Regulation respecting food

WHEREAS, under paragraphs *a*, *c*, *e.5.1*, *e.6*, *f*, *l* and *n* of section 40 of the Food Products Act (R.S.Q., c. P-29), the Government may make regulations on the various matters set forth therein, in particular to determine standards respecting the composting of certain animals, inedible meat, hygiene and sanitation training and the water used to prepare and preserve food;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting food was published in Part 2 of the *Gazette officielle du Québec* of 1 June 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting food, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting food

Food Products Act
(R.S.Q., c. P-29, s. 40, pars. *a*, *c*, *e.5.1*, *e.6*, *f*, *l*, *n*)

1. The Regulation respecting food (c. P-29, r. 1) is amended in section 1.3.1.2.1 by replacing the second paragraph by the following:

“The first paragraph does not apply to applicants for a permit or renewal of a permit required under subparagraph *c*, *d*, *k.1*, *k.2* or *k.3* of the first paragraph of section 9 of the Act, paragraph 4 of section 1.3.5.B.1 or 1.3.5.C.1, or section 1.3.5.J.1. The first paragraph does not apply to persons responsible for an intermediate resource referred to in section 302 of the Act respecting health services and social services (R.S.Q., c. S-4.2) or to operators of a residence for the elderly referred to in section 346.0.1 of that Act if the resource or residence does not have more than 9 residents.”.

2. Section 1.3.1.12.1 is replaced by the following:

“**1.3.1.12.1.** In order to obtain a dismembering plant permit in the “composting” category, the applicant must be a poultry, goat, sheep or hog producer.”.

3. Section 1.3.4.9.1 is replaced by the following:

“**1.3.4.9.1.** A dismembering plant permit in the “composting” category authorizes its holder, subject to section 7.4.9, to operate a dismembering plant for the purpose of composting inedible poultry or hog meat from dead animals in a raising site or inedible goat or sheep meat from animals from his or her livestock, in a plant complying with section 7.2.11.1.”.

4. Section 2.1.3.1 is amended by striking out “for human consumption,” in the first paragraph.

5. The following is inserted after section 2.2.4.5:

“**2.2.4.5.1.** A person who holds a certificate of qualification equivalent to the certificate obtained through the training described in the first paragraph of section 2.2.4.4 or 2.2.4.5, or recognized by a department or a government body elsewhere in Canada, is deemed to hold a certificate referred to in the second paragraph of those sections.”.

6. Section 2.2.4.8 is replaced by the following:

“**2.2.4.8.** A home childcare provider within the meaning of the Education Childcare Act (R.S.Q., c. S-4.1.1), a person responsible for an intermediate resource or a family-type resource referred to in section 302 or 310 of the Act respecting health services and social services (R.S.Q., c. S-4.2) and the operator of a residence for the elderly referred to in section 346.0.1 of that Act are exempt from the application of sections 2.2.4.1 to 2.2.4.3, if they do not provide care for more than 9 residents.”.

Despite the foregoing, the home childcare provider, the person responsible for an intermediate resource or a family-type resource and the operator of a residence for the elderly must assign responsibility for the control of food hygiene and safety on the operating premises to a person who has completed 3 hours and 30 minutes of training provided by an authorized person within the meaning of subparagraph *f* of the first paragraph of section 1 of the Food Products Act on the following subjects:

- (1) food storage temperatures;
- (2) work methods to prevent food contamination;
- (3) general principles of hygiene for persons in contact with food or with material or equipment in contact with food;
- (4) material and equipment cleaning, sanitizing and disinfecting procedures;
- (5) environmental sources of food contamination.

The persons must also

(1) ensure that the person responsible for the control of food hygiene and safety or at least one member of the personnel who has completed the training described in the second paragraph is present on the operating premises while food is being prepared and the material and equipment in contact with the food is being washed or cleaned; or

(2) ensure that at least 10% of the personnel assigned to product preparation or to washing or cleaning material and equipment in contact with the products, including the person responsible for the control of food hygiene and safety on the operating premises, have completed the training described in the second paragraph.

The second and third paragraphs do not apply to a person responsible for an intermediate resource or a family-type resource and the operator of a residence for the elderly, if the resource or residence has fewer than 4 residents.

A person who holds an equivalent certificate of qualification issued or recognized by a department or a government body elsewhere in Canada is deemed to have completed the training provided for in the second paragraph.”

7. Section 6.2.4 is revoked.

8. Section 7.1.1 is amended

(1) by replacing “bones, fat, viscera, intestines, paunches, lungs, udders, heads or feet coming, in whole or in part, from the animals or parts thereof mentioned in paragraph A and in subparagraph *a*” in subparagraph *c* of paragraph B by “any part of an animal”;

(2) by replacing “suet, pig fat or bones coming in whole or in part, from the animals or parts thereof mentioned in paragraph A and in subparagraph *a*” in subparagraph *d* of paragraph B by “any part of an animal, or a meat product”;

(3) by replacing “coming, in whole or in part, from the” in paragraph C by “including, in whole or in part, the”;

(4) by adding “, except the oil or fat salvaged or received for purposes other than feeding animals” at the end of paragraph C.

9. Section 7.1.7 is amended by replacing “farmer” in the third paragraph by “farm producer” and “herd” by “livestock”.

10. Section 7.2.1 is replaced by the following:

“**7.2.1.** A dismembering plant operated under the “raw meat” category permit must be located on the lot of the operator’s mink ranch, fox ranch, kennel or zoo or on an adjoining lot.

A dismembering plant operated under the “composting” category permit by a goat or sheep producer must be located on the lot of the raising site or on an adjoining lot.”

11. Sections 7.3.1., 7.3.1.1 and 7.3.1.2 are replaced by the following:

“**7.3.1.** A farm producer must, within 48 hours after the death of an animal of the producer’s livestock, dispose of the inedible meat from the animal, using one of the following methods:

(1) incineration in a facility complying with the provisions of the Environment Quality Act (R.S.Q., c. Q-2);

(2) salvaging by the operator of a dismembering plant or by a salvager;

(3) in the case of inedible poultry or hog meat, delivery to a dismembering plant operated under a “composting” category permit;

(4) in the case of inedible goat or sheep meat, shipping to an elimination site or delivery to a person carrying out the removal of waste to be shipped solely to an elimination site;

(5) burial in the producer's agricultural operation in accordance with the following requirements:

(a) the burial site is not situated within the 20-year flood zone of a watercourse or body of water;

(b) the burial site is situated not less than 75 metres from any watercourse or body of water and 150 metres from a drinking water intake on the surface or underground;

(c) the bottom of the pit is situated above groundwater level and, before inedible meat is placed in the pit, covered entirely with quicklime or an equivalent chemical;

(d) inedible meat is placed under the natural level of the ground at the edges of the pit and is immediately covered with quicklime or an equivalent chemical and with a layer of earth at least 60-centimetres thick;

(e) the ground is levelled.

Despite the first paragraph, the producer may keep the meat under refrigeration for not more than 14 days following the death of the animal or under deep freezing for not more than 240 days following that date, provided that the inedible meat is placed under refrigeration or deep freezing at the agricultural operation where the animal died, kept in such manner that animals may not come into contact with the meat and provided that the meat is not in decomposition. The producer must immediately dispose of all inedible meat that does not comply with one of those requirements.

For the purposes of this section, "watercourse or body of water" includes ponds, marshes and swamps but excludes all intermittent streams."

12. Section 7.3.5 is replaced by the following:

"**7.3.5.** Only the following persons may hold inedible meat:

(1) a salvager;

(2) the operator of a dismembering plant;

(3) the operator of a storage depot referred to in section 7.6.2;

(4) in the case of inedible goat or sheep meat, the operator of an elimination site or a person carrying out the removal of waste to be shipped solely to an elimination site;

(5) subject to sections 6.4.1.16, 7.1.8 and 7.3.1, a farm producer and a person referred to in section 7.1.8."

13. Section 7.3.13 is replaced by the following:

"**7.3.13.** The operator of a dismembering plant or the salvager must, as soon as he or she salvages inedible meat referred to in paragraph A or in subparagraph *b* of paragraph B of section 7.1.1, enter the following information in a register:

(1) the operator's or salvager's name and address, permit number and the registration number of the vehicle used;

(2) the address of the salvaging site and, if applicable, the name of the preceding holder of inedible meat and his or her address, if different from the address of the salvaging site;

(3) the date of salvaging;

(4) for each species, the approximate weight of the inedible meat and the number of carcasses of more than 40 kilograms;

(5) the identification number assigned under section 22.1 of the Animal Health Protection Act (R.S.Q., c. P-42) or under the Health of Animals Act (S.C. 1990, c. 21) to the animal from which the inedible meat comes;

(6) for the salvager, the name and address of the operator of the dismembering plant or of the elimination site to which the inedible meat is sold or delivered and, for each species of inedible meat sold or delivered, the approximate weight and the number of carcasses of more than 40 kilograms.

The register must be kept in the vehicle used for salvaging until complete unloading. It must be kept for 7 years at the principal establishment of the operator or salvager, as the case may be.

The operator or salvager must send to the Minister the information referred to in the first paragraph within 6 months of the salvaging."

14. Section 7.4.10 is replaced by the following:

"**7.4.10.** The operator of a dismembering plant must, as soon as he or she purchases or receives inedible meat, also enter the following information in the registers provided for in section 2.2.5:

(1) for each species, the approximate weight of the inedible meat and a description of the meat, as well as the number of carcasses of more than 40 kilograms;

(2) the identification number assigned under section 22.1 of the Animal Health Protection Act (R.S.Q., c. P-42) or under the Health of Animals Act (S.C. 1990, c. 21) to the animal from which the inedible meat comes.

The operator must send to the Minister the information referred to in the first paragraph and in section 2.2.5 within 6 months after purchasing or receiving the meat.

7.4.10.1. The operator of a dismembering plant holding a “composting” category permit must keep a register specifying, for each section of composting inedible meat that he or she operates, the following information:

(1) the date on which the inedible meat is introduced into the plant;

(2) for each species, the approximate weight of inedible meat and the number of carcasses of more than 40 kilograms;

(3) the internal temperature at intervals not exceeding 72 hours.

The register must be kept at the operator’s principal establishment for 1 year. “.

15. Section 7.4.11 is replaced by the following:

“**7.4.11.** The operator of a dismembering plant must, as soon as he or she sells or delivers processed oil or fat, also indicate in the registers provided for in section 2.2.6, the specific type of oil or fat.”.

16. Section 7.7 is revoked.

17. Section 11.7.12 is amended by inserting “or any other recognition of equivalent qualification issued or recognized by a department or government body elsewhere in Canada” in the first paragraph after “Institut de technologie agroalimentaire”.

18. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1188-2011, 30 November 2011

Animal Health Protection Act
(R.S.Q., c. P-42)

Safety and welfare of cats and dogs

Regulation respecting the safety and welfare of cats and dogs

WHEREAS, under section 55.9.14.1 of the Animal Health Protection Act (R.S.Q., c. P-42), the Government may by regulation fix, for the purposes of section 55.9.2 of the Act, standards for the custody and transportation of animals;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the safety and welfare of cats and dogs was published in Part 2 of the *Gazette officielle du Québec* of 22 June 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation respecting the safety and welfare of cats and dogs, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the safety and welfare of cats and dogs

Animal Health Protection Act
(R.S.Q., c. P-42, s. 55.9.14.1)

CHAPTER I OBJECT

1. This Regulation establishes standards for the keeping of cats (*Felis catus*) and their hybrids, and the keeping of dogs (*Canis familiaris*) and their hybrids, in order to provide for their safety and welfare.

CHAPTER II PROVISIONS APPLICABLE TO CERTAIN OWNERS OR CUSTODIANS OF ANIMALS

2. The owner or custodian of at least 5 animals 6 months old or older of the same species kept in one location must comply with the requirements of this Chapter.

The same applies to the owner or custodian keeping one or more animals, regardless of the animal's age,

(1) on the premises of a commercial activity such as a breeding operation, a pet shop, a grooming salon, an animal boarding establishment, or a training school;

(2) on premises held by an establishment; or

(3) in the kennel or cattery of a laboratory or an academic institution.

An establishment is any person who collects cats or dogs to transfer them to new premises or euthanize them or have them euthanized, including pounds, animal houses and organizations dedicated to protecting animals.

DIVISION I FOOD AND WATER

3. Food and drinking water to which an animal has access must be clean, fresh and free of contaminants such as feces, urine and litter.

4. Snow and ice are not a source of drinking water that meets the animal's biological needs.

An animal's biological needs are its needs relating, in particular, to its species, age, growth stage, size, level of physical activity and state of health, to the fact that it is gestating or lactating, and to its adaptation level to heat or cold.

DIVISION II SHELTER

§1. Buildings

5. A building in which an animal is kept must be built and maintained so as to not present a risk for the animal's safety. The building must

(1) be weatherproof;

(2) protect the animal from the adverse effects of the sun, and from drafts; and

(3) prevent escape by the animal and the intrusion of any other animal.

For the purposes of this Regulation, a building is any structure or part of a structure in which an animal is kept, including a barn, shed, hangar or garage. A vehicle used for holding animals is considered to be a building.

6. Floors in the building, and the lower portions of walls with which an animal may come into contact, must

(1) be made of non-porous, non-toxic, smooth, durable materials that can be washed and disinfected easily, and are mould and corrosion resistant;

(2) be in good condition and free of holes other than those for urine drainage, with no parts jutting out and no sharp edges or other potential causes of injury.

7. Liquids such as urine and clean-up water must drain quickly and entirely from the building's floor.

8. The building's indoor temperature and humidity rate must be compatible with the animal's biological needs.

9. The building must be ventilated and the air renewed to prevent the concentration of contaminants such as ammonia and dust.

10. The intensity and duration of the lighting in a building in which an animal is kept must be compatible with the animal's biological needs.

They must also be sufficient for an inspection of the premises and their equipment and of the animal kept there.

11. Sections 6 and 7 do not apply to a dwelling house.

§2. Rest area

12. An animal must have access at all times to a rest area that is dry, clean, full, comfortable and sufficiently large to allow the animal to lie on its side with its legs fully extended.

The area must provide shelter from elements that may stress the animal or harm its health, including bad weather, sun, drafts, loud noise and harmful gases.

§3. Cages and enclosures

13. Cages, except cages used for the transportation of animals, and enclosures must be sufficiently large for the animal to stand up and sit normally, turn around easily, stretch out full length and lie on its side with its legs fully extended.

A cage is a container for confining an animal, usually having a floor, a ceiling and 4 walls at least 1 of which is a mesh or trellis or has openings over most of its surface. A cage may be portable or fixed.

An enclosure is an enclosed area for confining an animal, but not large enough for a dog to run. An enclosure may be indoor or outdoor.

14. Cages and enclosures must

(1) be made of non-porous, non-toxic, durable materials that can be washed and disinfected easily, and are mould and corrosion resistant;

(2) be in good condition, safe and free of parts jutting out and sharp edges or other potential causes of injury;

(3) be solid and stable;

(4) be built and installed to prevent the escape of the animal and any injury or stress inflicted by another animal not kept in the same cage or enclosure;

(5) have at least 1 side through which the custodian can easily observe the animal and the animal can see outside; and

(6) be built and installed so as not to obstruct air circulation.

15. Cages and enclosures must be installed so as not to become soiled by feces, urine or waste from another cage or enclosure.

16. An animal may be kept in a cage or enclosure with a floor in good condition and that complies with the following requirements:

(1) the floor is flat and has a non-slip surface;

(2) the floor supports the animal without sagging; and

(3) the animal's paws cannot pass through or get stuck in the spaces between its constituent parts or in the holes.

If the floor is made of wire mesh or trellis, it must be coated with synthetic material to prevent injuries or discomfort for the animal, such as plastic.

17. The slope of the floor of a cage or enclosure may not be greater than 4%.

§4. *Yard*

18. A yard intended for animals to exercise must

(1) be built to prevent the animal from escaping and to prevent the infliction of an injury or stress by another animal not kept in the same yard;

(2) have a surface that drains easily;

(3) if outdoors, contain an area large enough to protect the animal from bad weather and the adverse effects of the sun; and

(4) have a fence with posts and wire mesh, if applicable, and all other components, that are in good condition and free of parts jutting out and sharp edges or other potential causes of injury.

A yard is an enclosed area in which a number of animals can run free together. A yard may be indoor or outdoor.

19. Section 18 does not apply to municipal parks intended for the exercise of animals.

§5. *Equipment*

20. An animal's food and water containers or dispensers must

(1) be appropriate to the animal's physical characteristics, particularly body size and muzzle shape and size;

(2) be easy to clean and disinfect;

(3) be made of a non-toxic material, in good condition, solid and easily accessible, and free of potential causes of injury; and

(4) be designed and installed to avoid spills and contamination.

21. Cats that are kept indoors must have access at all times to a litter box that

(1) is made of a non-toxic material that can be washed and disinfected easily;

(2) is in good condition, free of parts jutting out and sharp edges or other potential causes of injury; and

(3) contains a sufficient amount of regularly-replaced absorbent litter, to avoid odours and the accumulation of feces and urine.

§6. Animals kept mostly outdoors

22. An animal may be kept mostly outdoors if its morphology, coat, age, health and adaptation level to heat or cold are such that the animal is adequately protected from the weather conditions to which it is exposed.

Where an animal's adaptation level to heat or cold is unknown, the owner or custodian must plan for a gradual acclimatization period to being kept outdoors.

23. A dog kept mostly outdoors must have a doghouse or shelter serving as such that complies with the following requirements:

- (1) it is made of durable, non-toxic, corrosion resistant materials;
- (2) it has a waterproof roof and walls, a floor raised off the ground and an opening through which the dog can enter at all times;
- (3) it is in good condition, free of parts jutting out and sharp edges or other potential causes of injury;
- (4) it is solid and stable;
- (5) its size allows the dog to turn around and maintain its body temperature in cold weather; and
- (6) it is designed and built so that the dog is protected from bad weather.

24. The inside of a doghouse or shelter serving as such is not considered to be a shaded area.

§7. Restraints

25. A restraint such as a chain or a rope that is used to attach an animal outdoors must

- (1) not be liable to get stuck or shortened, in particular by wrapping itself around an object;
- (2) not cause discomfort for the animal, in particular because of its weight;
- (3) allow the animal to move about freely and safely; and
- (4) allow the animal to reach its food and water.

26. The animal's collar must not hamper the animal's breathing, or cause it pain or injury.

27. Muzzled animals must not be left unattended.

§8. Cleanliness and safety

28. An animal's cage, enclosure, yard, doghouse or shelter serving as such and immediate surroundings must be free of any product, object or material that poses a threat to its safety.

29. A building, cage, enclosure, yard, doghouse or shelter serving as such in which an animal is kept, and the animal's immediate surroundings including any equipment and accessories, must be kept clean and free of waste, and in particular of accumulations of feces and urine.

30. Articles used to clean the building, cage, enclosure, yard, doghouse or shelter serving as such and immediate surroundings in which an animal is kept, including accessories and any object with which the animal may come into contact, must be kept clean.

31. Products used to clean and disinfect the animal's immediate surroundings and objects which may come into contact with the animal, its water or food, must be used according to the manufacturer's recommendations.

32. The owner or custodian of an animal must prepare, keep up to date and implement a cleaning, disinfecting and vermin control protocol for the building, cage, enclosure or yard in which the animal is kept, including equipment and accessories. The protocol must indicate

- (1) the frequency of cleaning and disinfecting;
- (2) the order in which cleaning and disinfecting must be done;
- (3) the cleaning products and disinfectants to be used as well as their concentration, surface contact time and rinsing method; and
- (4) the vermin control procedure to be used.

The protocol must be kept on the premises where the animal is kept and made available to any person who looks after it, and to an inspector on request.

This section does not apply to a dwelling house.

33. An animal's carcass must be removed without delay from the immediate environment of other animals.

DIVISION III MISCELLANEOUS

§1. *Prevention*

34. The following animals must be kept separate:

- (1) incompatible animals;
- (2) aggressive animals; and
- (3) a female in heat and a non-castrated male of breeding age.

Despite the foregoing, the owner or custodian of an animal may keep a female in heat and a non-castrated male of breeding age together solely for the time required for them to mate.

35. To prevent the spread of disease and parasites, animals with symptoms of disease must be separated from other animals.

Animals of unknown state of health must be quarantined.

An animal's state of health is determined on the basis of known information about its health, including information about administered vaccines and wormers, diagnosed illnesses and observed symptoms.

36. An animal must be groomed and have its claws trimmed frequently enough to avoid disease, discomfort, injury and poor posture or gait.

§2. *Exercise*

37. Animals must exercise, in keeping with their age and physical condition.

38. The owner or custodian of an animal must draw up, update and implement an exercise protocol for the animal. The protocol must be kept on the premises where the animal is kept and made available to every person who cares for the animal and to an inspector on request.

This section does not apply to an animal that is kept at liberty in a dwelling house, in a grooming salon, or in a veterinary clinic or hospital to receive care.

§3. *Gestating and lactating animals*

39. Females giving birth and females nursing a litter must be kept separate from other animals for one month following the birth of the litter, in a cage or enclosure in which

- (1) a portion of the floor accessible to litter is full;
- (2) the spacing between the bars is close enough to prevent kittens or puppies from escaping or from causing themselves harm.

40. Females must have ongoing access to their kittens or puppies until they are weaned.

Despite the foregoing, females must be able to isolate themselves from their litter if they wish.

41. A new-born kitten or puppy must be kept at a temperature suitable for its biological needs.

Where a source of artificial heat is used to warm a kitten or puppy, it must not be liable to cause it injury.

42. No kitten or puppy may be weaned before the age of 8 weeks by the owner or custodian.

§4. *Euthanasia*

43. When an animal is euthanized, its owner or custodian must ensure that the circumstances and the method used are not cruel and cause the animal a minimum of anxiety and pain. The euthanasia method chosen must result in rapid and irreversible loss of consciousness, followed quickly by death.

The owner or custodian must also ensure that the absence of vital signs is determined immediately following euthanasia.

44. No animal may be euthanized in the presence of another animal.

DIVISION IV REGISTER

45. For each animal kept, the owner or custodian must maintain an up-to-date register containing

- (1) a description of the animal, including species, breed or crossbreed, colour, gender and date of birth or, if unknown, approximate date of birth;

- (2) an indication whether the animal has a microchip implant, along with the microchip number or a tattoo number, if the animal has one, and any other number used by the owner or custodian to identify the animal;

- (3) if the animal was not born with its current owner or custodian, the date of its arrival, and the name, address and telephone number of its previous owner or custodian;

(4) the dates when females give birth and the number of kittens or puppies of each of their litter; and

(5) the date of the animal's death, or of its final departure to a new owner or custodian and the name, address and telephone number of the new owner or custodian in the case of an owner or custodian referred to in section 2.

46. The register provided for in section 45 must be kept at the place where the animal is kept for 2 years after the animal's death or after its transfer to a new custodial location.

The register must be given to an inspector on request.

47. The owner or custodian of the animal must record in the register, accurately and legibly, all of the information required by section 45.

48. Grooming salons, animal board establishments and veterinary clinics and hospitals are exempted from keeping the register provided for in section 45.

CHAPTER III PROVISIONS APPLICABLE TO ESTABLISHMENTS

49. In addition to complying with the requirements of Chapter II, the custodian of an animal kept on premises held by an establishment must comply with the requirements of this Chapter.

50. For the purposes of section 35, a building kept by an establishment must include an isolation room and a quarantine room.

51. Cages and enclosures used in isolation and quarantine rooms must be designed and installed so as to reduce the risk of contamination to a minimum and avoid direct contact between animals.

52. Cages and enclosures located in isolation and quarantine rooms, including their equipment and accessories, must be disinfected prior to housing a new animal and must be disinfected daily during disease outbreaks.

53. Traffic between isolation and quarantine rooms and the other sections of the building must be limited, and all other reasonable means to prevent the spread of disease must be implemented.

CHAPTER IV OTHER PROVISIONS APPLICABLE TO ALL OWNERS AND CUSTODIANS OF AN ANIMAL

54. Sections 3, 4, 12, 22 to 27 and 43 apply to all owners and custodians of a cat or a dog.

CHAPTER V EXEMPTION FROM VETERINARY SURGEONS

55. The owner or custodian of an animal is not required to comply with any provision of Chapter II whose application, as attested in the written opinion of a veterinary surgeon, is not recommended for the animal, given its state of health or when veterinary treatment is planned.

The opinion of the veterinary surgeon must

(1) be signed and dated and indicate the veterinary surgeon's licence number;

(2) indicate the name and contact information of the animal's owner or custodian;

(3) describe the animal in question so that it is recognizable by its owner or custodian or by an inspector;

(4) state the requirement from which the animal's owner or custodian is temporarily exempted;

(5) state the period during which the owner or custodian is exempted from the requirement under subparagraph 4; and

(6) be kept by the animal's owner or custodian for the period stated under subparagraph 5 and made available to an inspector on request.

56. Veterinary surgeons are not required to comply with any provision of Chapter II whose application is not recommended for an animal in their custody, given its state of health or when veterinary treatment is planned.

CHAPTER VI FINAL

57. This Regulation comes into force on 14 June 2012.

1781

Gouvernement du Québec

O.C. 1209-2011, 30 November 2011

An Act respecting parental insurance
(R.S.Q., c. A-29.011)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting parental insurance

WHEREAS the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions (2009, c. 24) was assented to on 12 June 2009;

WHEREAS sections 74 to 79 of the Act amend certain provisions of the Act respecting parental insurance (R.S.Q., c. A-29.011) to make family-type resources and certain intermediate resources eligible for the Régime québécois d'assurance parentale;

WHEREAS sections 74 to 79 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions come into force on 1 January 2012 under Order in Council 1093-2011 dated 26 October 2011;

WHEREAS the amendments made to the Act respecting parental insurance require consequential amendments to the Regulation under the Act respecting parental insurance (c. A-29.011, r. 2);

WHEREAS, under subparagraph 4 of the first paragraph of section 3, sections 20, 21 and subparagraph 1 of the first paragraph of section 88 of the Act respecting parental insurance, the Conseil de gestion de l'assurance parentale may make regulations on the matters set forth therein;

WHEREAS the Conseil de gestion made the Regulation to amend the Regulation under the Act respecting parental insurance by resolution on 25 October 2011;

WHEREAS section 88 of that Act provides that the regulations of the Conseil de gestion require the approval of the Government; the Government may approve them with or without amendment;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication:

— the amendments provided for in the Regulation attached to this Order in Council to make certain persons receiving remuneration as family-type resources or intermediate resources eligible for the Régime québécois

d'assurance parentale must apply from the coming into force of sections 74 to 79 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions;

— the date of coming into force of sections 74 to 79 of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions was set by Order in Council 1093-2011 dated 26 October 2011 on 1 January 2012;

WHEREAS it is expedient to approve the Regulation with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation under the Act respecting parental insurance, attached to this Order in Council, be approved with amendment.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Act respecting parental insurance

An Act respecting parental insurance (R.S.Q., c. A-29.011, s. 3, 1st par., subpar. 4, ss. 20, 21 and 88, 1st par., subpar. 1)

1. The Regulation under the Act respecting parental insurance (c. A-29.011, r. 2) is amended in section 7 by replacing the third paragraph by the following:

“Despite the foregoing, a person whose income is obtained as a family-type resource or intermediate resource is deemed to reduce the time devoted to those activities by at least 40%.

A person whose income is derived from more than one of the sources mentioned in the first, second or third paragraph has an interruption of earnings if the reductions described in the corresponding paragraph apply to the person for each source.”

2. Section 26 is amended by inserting “or as a family-type resource or intermediate resource” after “from a business” in the second paragraph.

3. Section 28 is replaced by the following:

“28. Where insurable earnings from employment and insurable earnings from a business or as a family-type resource or intermediate resource are considered, the average of the insurable earnings is equal to 1/52 of the total of the insurable earnings from employment and the insurable earnings from a business or as a family-type resource or intermediate resource for the year preceding the beginning of the person’s benefit period.”

4. Section 29 is amended

(1) by inserting “or as a family-type resource or intermediate resource” after “from a business” in the first paragraph;

(2) by replacing the second paragraph by the following:

“Where insurable earnings from employment and insurable earnings from a business or as a family-type resource or intermediate resource are considered, the average of the insurable earnings is equal to 1/52 of the total of the insurable earnings from employment and the insurable earnings from a business or as a family-type resource or intermediate resource established for the qualifying year.”

5. Section 31 is amended

(1) by inserting “or are obtained as a family-type resource or intermediate resource” after “from a business”;

(2) by adding the following at the end:

“For a family-type resource or intermediate resource, the first calendar year of operation is that during which it is subject, for the first time, to an agreement signed under the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (R.S.Q., c. R-24.0.2) or to a decision of the Minister of Health and Social Services made with the authorization of the Conseil du trésor pursuant to the Act respecting health services and social services (R.S.Q., c. S-4.2).

Despite the foregoing, if the insurable earnings obtained as a family-type resource or intermediate resource are received in the year following its obligation to one of the abovementioned texts, the first calendar year of operation is the year during which the insurable earnings are received.”

6. Section 31.2 is amended by inserting “or as a family-type resource or intermediate resource” after “from a business” in the fifth paragraph.

7. Section 31.3 is amended

(1) by inserting “or as a family-type resource or intermediate resource” after “from a business” in the part that precedes subparagraph 1 of the first paragraph;

(2) by inserting “or as a family-type resource or intermediate resource” after “from a business” in subparagraph 3 of the first paragraph.

8. This Regulation comes into force on 1 January 2012.

1782

Gouvernement du Québec

O.C. 1212-2011, 30 November 2011

Public Curator Act
(R.S.Q., c. C-81)

Regulation
— **Amendment**

Regulation to amend the Regulation respecting the application of the Public Curator Act

WHEREAS the Regulation respecting the application of the Public Curator Act was made by Order in Council 361-90 dated 21 March 1990 and amended by Orders in Council 602-92 dated 15 April 1992, 594-99 dated 26 May 1999, 203-2000 dated 1 March 2000, 488-2002 dated 24 April 2002 and 787-2004 dated 10 August 2004;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the application of the Public Curator Act was published in Part 2 of the *Gazette officielle du Québec* of 7 September 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Family:

THAT the Regulation to amend the Regulation respecting the application of the Public Curator Act, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Public Curator Act

Public Curator Act
(R.S.Q., c. C-81, s. 68, pars. 6 and 7)

1. The Regulation respecting the application of the Public Curator Act (c. C-81, r. 1) is amended in the second paragraph of section 9 by replacing “2%” by “1.5%”.

2. Section 14 is amended by striking out “Bureau 500.”.

3. Chapter I of Schedule II is replaced by the following:

“CHAPTER I PERSONS REPRESENTED

(1) The fees that the Public Curator may, as applicant, charge for activities relating to the institution of protective supervision are established as follows and payable at the latest at the end of the supervision if public protective supervision is instituted, or on the rendering of the judgment if private protective supervision is instituted:

— on 1 November 2011: \$1,400;

— on 1 April 2012: \$1,700;

— on 1 April 2013: \$2,000.

(2) The fees that the Public Curator may charge for activities relating to the protection of a person are established as follows:

— on 1 November 2011: \$900 per year;

— on 1 April 2012: \$950 per year;

— on 1 April 2013: \$1,000 per year.

That sum is payable only after the death of the person represented if the death occurs while the person is under public protective supervision.

(3) The fees that the Public Curator may charge in relation to the administration of property entrusted to the Public Curator are as follows:

(1) for the collection of information for the purposes of an inventory of the property of the person represented

(a) within the scope of an internal investigation: \$1,050;

(b) within the scope of an external investigation requiring travel: \$1,050, to which a fee of \$85 per hour is added after the first 12 hours;

(c) for any other mandate carried out by an investigator: \$85 per hour;

(2) for the planning of the initial administration of the patrimony:

(a) by a technician: \$500 per file;

(b) by a professional: \$1,000 per file;

(3) for the planning and administration of the annual budget and the administration of movables:

— on 1 November 2011: \$375 per year;

— on 1 April 2012: \$400 per year;

— on 1 April 2013: \$425 per year;

(4) for the recovery of a hypothecary loan or other receivable:

— on 1 November 2011: \$400 per year;

— on 1 April 2012: \$450 per year;

— on 1 April 2013: \$485 per year;

(5) for the payment of a hypothecary loan or other debt: \$90 per year;

(6) for the alienation of a movable other than a security, for the purchase or sale of a motor vehicle: 25% of the transaction value, up to a maximum amount of \$1,000 per transaction;

(7) for the establishment of the Public Curator’s authority on every immovable entrusted to the administration of the Public Curator: \$525;

(8) for the administration of

(a) land: \$75 per year;

(b) residential immovables: \$630 per year;

(c) rental residential immovables having less than 4 dwellings: \$2,222 per year;

(d) rental residential immovables having 4 dwellings or more or any other immovable and management of a commercial enterprise or other: \$3,072 per year;

(9) for the preparation and supervision of the sale of immovables: 25% of the transaction value, up to a maximum amount of \$2,500 per transaction;

(10) for the administration of insurance: \$60 per policy, per year;

(11) for the filing of a fiscal return: \$30 per return;

(12) for the administration of investments other than those referred to in section 9 of the Regulation

(a) for cash on hand with brokers and any deposit certificate: 0.25% per year;

(b) for shares and mutual funds: 1% per year;

(c) for bonds, RRSPs and other related tax schemes: 0.50% per year;

each percentage being calculated monthly based on the average assets;

(13) for the rendering of an account and transfer during the lifetime of the person represented:

— on 1 November 2011: \$400;

— on 1 April 2012: \$500;

— on 1 April 2013: \$550;

(14) for the rendering of an account and transfer after the death of the person represented:

— on 1 November 2011: \$2,000;

— on 1 April 2012: \$2,100;

— on 1 April 2013: \$2,200;

(15) for an intervention of a legal nature:

(a) examine and comment a legal document or any new judicial proceedings: \$250;

(b) initiate and follow judicial proceedings by a trustee: \$120 per hour;

(c) appoint independent jurists: \$350;

(d) negotiate an agreement, intervene or act before any administrative or judicial proceeding: \$150 per hour;

(e) prepare and write a formal notice: \$200;

(16) (a) for the settlement of a succession in favour of the person represented: \$1,200 per file;

(b) for the settlement of a succession involving a commercial enterprise, immovable property, financial abuse or partition of the family patrimony or matrimonial regime: \$1,700 per file;

(17) for the liquidation of a succession: \$120 per hour.”.

4. The first paragraph of section 6 of Schedule II is replaced by the following:

“(6) The hourly rate or lump-sum fees are indexed on 1 April of each year according to the rate corresponding to the annual change in the overall average Québec consumer price index without alcoholic beverages and tobacco products for the 12-month period ending on 31 December of the preceding year.”.

5. This Regulation comes into force on 1 January 2012.

1783

Gouvernement du Québec

Regulation respecting the advisory panel of the Institut national d'excellence en santé et en services sociaux

An Act respecting the Institut national d'excellence en santé et en services sociaux
(R.S.Q., c. I-13.03)

Institut national d'excellence en santé et en services sociaux — Advisory panel

DIVISION I TERM OF OFFICE AND ROLE

1. The Institut national d'excellence en santé et en services sociaux (hereinafter “institute”) must establish, by by-law, an advisory panel for the health and social services sectors and determine the profile of the persons who may sit on the panel. The composition of the panel must be representative of the providers and groups for whom the recommendations and practice guides drawn up under paragraph 2 of section 5 of the Act respecting the Institut national d'excellence en santé et en services sociaux are intended.

The role of the panel is to advise the institute in determining the matters to be examined as a priority and to foster concerted approaches for implementing the institute's recommendations and practice guides.

2. The term of office of the members representing the organizations within the panel is 4 years.

DIVISION II

PROCESS OF SELECTION OF MEMBERS AND COMPOSITION OF THE PANEL

3. The institute designates the members of the panel on the recommendation of the organizations that meet the principles referred to in section 1.

4. The panel is composed of a single representative of

- the Association des centres jeunesse du Québec;
- the Association des centres de réadaptation en dépendance du Québec;
- the Association des établissements de réadaptation en déficience physique du Québec;
- the Association des pharmaciens des établissements de santé du Québec;
- the Association québécoise d'établissements de santé et de services sociaux;
- the Association québécoise des pharmaciens propriétaires;
- the Fédération des médecins omnipraticiens du Québec;
- the Fédération des médecins spécialistes du Québec;
- the Fédération québécoise des centres de réadaptation en déficience intellectuelle et en troubles envahissants du développement;
- the Collège des médecins du Québec;
- the Ordre des ergothérapeutes du Québec;
- the Ordre des infirmières et des infirmiers du Québec;
- the Ordre des pharmaciens du Québec;
- the Ordre des psychologues du Québec;

— the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec;

— the Ordre professionnel de la physiothérapie du Québec;

— the Ordre professionnel des diététistes du Québec;

— the Ministère de la Santé et des Services sociaux;

— the Régie de l'assurance maladie du Québec;

— the Conseil pour la protection des malades;

— the Regroupement provincial des comités des usagers.

5. In addition to the president and chief executive officer of the institute, the maximum number of members representing the abovementioned organizations is 21.

DIVISION III

PROFILE OF REPRESENTATIVES

6. The profile of the members rests on their ability to develop the themes and implement the priority matters based on the needs of the health and social services network.

7. To ensure the smooth operation of the advisory panel, the representatives of the organizations referred to in section 4 must have the following profile:

- have acquired solid experience within their organization with clinical or clinical administrative expertise;
- show interest for the institute's mission and, in that respect, contribute to an active partnership between their organization and the institute;
- be open to promote issues on intersectoriality;
- have the required skills to define and analyze the challenges of the health and social services network and be able to discuss them;
- be able to define the problems of the members of their organization and clarify their needs in their various dimensions.

Québec, 28 November 2011

YVES BOLDUC,
*Le ministre de la Santé et
des Services sociaux*

DOMINIQUE VIEN,
*La ministre déléguée
aux Services sociaux*

M.O., 2011

Order number AM 2011-043 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 24 November 2011

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

CONCERNING the repealing of Schedule 192 to Order in Council 573-87 dated 8 April, 1987 modified by Order in Council 534-93 dated 7 avril, 1993 concerning the designation and delimitation of land in the domain of the State

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING that the Government, by Order in Council 534-93 dated 7 April, 1993 modified Order in Council 573-87 dated 8 April, 1987 to add Schedule 192 designating and delimiting areas on land in the domain in view of increasing utilization of wildlife resources;

CONSIDERING that under the first paragraph of section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Minister may delimit areas on lands in the domain of the State in view of increased utilization of wildlife resources and the carrying on of recreational activities incidental there to;

CONSIDERING section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides that orders made by the Government under section 85 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced or repealed by an order of the Minister Environment and Wildlife;

CONSIDERING section 80 of the Act to replace the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions (2004, c. 11) which provides that, unless the context indicates otherwise, in any other Act, text or document, a reference to the minister designated by the Government as the minister responsible for the administration of the Act respecting the Société de la faune et des parcs du Québec, the Minister responsible for Wildlife and Parks or to the Société de la faune et des parcs du Québec is a reference to the Minister of Natural Resources, Wildlife and Parks;

CONSIDERING that it is expedient to repeal schedule 192 of Order in Council 573-87 dated 8 April, 1987;

ORDER THAT:

Schedule 192 to Order in Council 573-87 dated 8 April, 1987, modified by Order in Council 534-93 dated 7 April, 1993 be repealed;

This Order comes into force on the date of its publication in the *Gazette officielle du Québec*.

Québec, 24 November 2011

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*

CLÉMENT GIGNAC,
*Minister of Natural
Resources and Wildlife*

1770

Draft Regulations

Draft Regulation

An Act respecting the Centre de services partagés du Québec
(R.S.Q., c. C-8.1.1)

Gazette officielle du Québec — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the *Gazette officielle du Québec*, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation strikes out the annual subscription prices for Part 1 and Part 2 of the *Gazette officielle du Québec* published by the Québec Official Publisher on the website of Les Publications du Québec and the selling price of an issue and a technology-based document included in an issue of the *Gazette officielle du Québec* published on the website.

The draft Regulation also amends the annual subscription price for the *Gazette officielle du Québec* in paper form and the rates payable for the publication of notices, announcements and documents in Part 1 and Part 2 of the *Gazette officielle du Québec*.

Further information may be obtained by contacting Sylvie Ferland, Director, Les Publications du Québec, 1000, route de l'Église, bureau 500, Québec (Québec) G1V 3V9; telephone: 418 646-1000, extension 2854; fax: 418 644-7813; e-mail: sylvie.ferland@cspq.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Johanne Laplante, Director, Bureau du Président-directeur général, Centre de services partagés, 875, Grande Allée Est, 4^e étage, Québec (Québec) G1R 5W5.

MICHELLE COURCHESNE,
*Minister responsible for Government Administration
and Chair of the Conseil du trésor*

Regulation to amend the Regulation respecting the *Gazette officielle du Québec*

An Act respecting the Centre de services partagés du Québec
(R.S.Q., c. C-8.1.1, s. 44)

1. The Regulation respecting the *Gazette officielle du Québec* (c. C-8.1.1, r. 1) is amended by replacing sections 6 and 7 by the following:

“**6.** The annual subscription price for the *Gazette officielle du Québec* in paper form is

(1) \$469 for Part 1; and

(2) \$641 for the English or French edition of Part 2.

7. The selling price of an issue of the *Gazette officielle du Québec* is \$9.72 per copy in paper form.”

2. Section 8 is revoked.

3. Section 9 is amended by replacing “\$1.31” in the first paragraph by “\$1.61”.

4. Section 10 is amended by replacing “\$0.87” and “\$190” in the first paragraph by “\$1.07” and “\$236” respectively.

5. Section 12 is replaced by the following:

“**12.** The *Gazette officielle du Québec* published by the Québec Official Publisher on the website of Les Publications du Québec is available to all free of charge.”

6. Schedule I is revoked.

7. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1778

Draft Regulation

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Scale of fees and duties related to the development of wildlife

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation introduces the fees payable for the transfer of the game ranch and breeding licence for white-tailed deer. The amendment is necessary considering that the Regulation respecting the classes of licences to keep animals in captivity and their term (R.R.Q., c. C-61.1, r. 10) will be amended to allow the transfer of that licence.

Study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Gaéтан Roy, Service de la réglementation, de la tarification et des permis, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 521-3888, extension 7394; fax: 418 646-5179; email: gaetan.roy@mrnf.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nathalie Camden, Associate Deputy Minister for Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*

CLÉMENT GIGNAC,
*Minister of Natural
Resources and Wildlife*

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 163, 1st par., subpar. 4)

1. The Regulation respecting the scale of fees and duties related to the development of wildlife (c. C-61.1, r. 32) is amended in section 4.3 by adding the following paragraph:

“The fees payable for the transfer of the game ranch and breeding licence for white-tailed deer are those provided for in subparagraph 9 of the first paragraph.”.

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1769

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Forest royalties — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting forest royalties, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation implements a mechanism for adjusting unit rates applicable to holders of a sugar bush management permit for acericultural purposes. The adjustment, based on the average income per taphole of the last year, will allow rates to fluctuate based on changes in market prices and the annual production of sugar bushes, and ensure fair treatment between maple producers operating in public forests and those operating in private forests. The draft Regulation is part of the government policy to fund public services.

The draft Regulation has a minor impact on enterprises, including small and medium-sized businesses, given that the increase in rates resulting from the adjustment will only represent a small part of the increase in the average annual income of maple producers in the last three years.

Further information on the draft Regulation may be obtained by contacting Jean-Pierre Adam, Direction des évaluations économiques et des opérations forestières, Bureau de mise en marché des bois, 880, chemin Sainte-Foy, 7^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8640, extension 4375; fax: 418 528-1278; email: jean-pierre.adam@bmmb.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Richard Savard, Associate Deputy Minister, Forêt Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, RC-120, Québec (Québec) G1S 4X4.

CLÉMENT GIGNAC,
Minister of Natural Resources and Wildlife

Regulation to amend the Regulation respecting forest royalties

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpar. 1)

1. The Regulation respecting forest royalties (c. F-4.1, r. 12) is amended in section 4 by inserting the following after the second paragraph:

“The rate fixed for each zone is adjusted on 1 January of each year according to the ratio of the average income per taphole calculated from the data contained in the economic record of the Fédération des producteurs acéricoles du Québec, for the year ending on 31 December preceding the date of adjustment, on the average income per taphole of 1999 to 2003 established at \$4.13/taphole. The Minister of Natural Resources and Wildlife is to publish the results of the adjustment on the department’s website and in Part 1 of the *Gazette officielle du Québec*. The Minister may also ensure wider publicity by any other means the Minister considers appropriate.”

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1779

Draft Ministerial Order

An Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (R.S.Q., c. M-22.1)

Management indicators pertaining to the administration of certain municipal bodies — Replacement

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Order of the Minister of Municipal Affairs, Regions and Land Occupancy concerning management indicators pertaining to the administration of certain municipal bodies, the text of which appears below, may be enacted by the Minister of Municipal Affairs, Regions and Land Occupancy on the expiry of a period of 45 days following this publication to replace the Order of the Minister of Municipal Affairs and Regions concerning the establishment of management indicators pertaining to the administration of certain municipal bodies dated December 3, 2007.

The purpose of the draft order is to revise the management indicators mentioned in the Ministerial Order of December 3, 2007, adopted pursuant to section 17.6.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire (R.S.Q., c. M-22.1).

The draft order stipulates that the indicators will apply to data compiled starting from the 2011 fiscal year.

Additional information can be obtained from Jean Monfet, Director, Direction des finances municipales, Ministère des Affaires municipales, des Régions et de l’Occupation du territoire, 10, rue Pierre-Olivier-Chauveau, 1^{er} étage, Québec (Québec) G1R 4J3 (telephone: 418 691-2007; fax: 418 6469165).

Anyone who wishes to comment on the matter may do so in writing within the 45-day period, to the Minister of Municipal Affairs, Regions and Land Occupancy, 10, rue Pierre-Olivier-Chauveau, Québec (Québec) G1R 4J3.

LAURENT LESSARD,
*Minister of Municipal Affairs,
Regions and Land Occupancy*

Order of the Minister of Municipal Affairs, Regions and Land Occupancy concerning management indicators pertaining to the administration of certain municipal bodies

An Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (R.S.Q., c. M-22.1)

WHEREAS, pursuant to section 17.6.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (R.S.Q., c. M-22.1), the Minister of Municipal Affairs, Regions and Land Occupancy may, after consultation with the bodies that represent the municipalities, in particular the Union des municipalités du Québec and the Fédération québécoise des municipalités, establish management indicators pertaining to the administration of municipal bodies and prescribe the conditions and procedures for the implementation of the indicators in such bodies;

WHEREAS, pursuant to the same section, the Minister may also for this purpose:

— classify municipal bodies by category and establish management indicators or implementation conditions and procedures that may vary according to the category of municipal body;

— prescribe the manner in which municipal bodies must provide residents with the information that the Minister determines concerning the results observed by means of the management indicators applied;

— exempt any municipal body from the application of management indicators for any period that the Minister determines;

WHEREAS the Minister of Municipal Affairs and Regions adopted an order for that purpose that was published in the *Gazette officielle du Québec* on December 19, 2007;

WHEREAS the Union des municipalités du Québec, the Fédération québécoise des municipalités and various other bodies that represent the municipalities have been consulted within the framework of deliberations on the evaluation of the management indicators stipulated in this order;

WHEREAS it is opportune, following the consultation, to revise the indicators;

ACCORDINGLY, the Minister orders that:

1. the management indicators that appear in the Schedule to this Order are established;

2. the categories of municipal bodies to which this Order applies are the following:

— municipalities except Northern villages, the Municipalité de Baie-James and the Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent;

— intermunicipal management boards.

3. Every municipal body to which this Order applies must, in respect of each fiscal year, measure the performance of each activity of its administration as determined in the Schedule by calculating, using the formula prescribed therein, the value of each indicator pertaining to the activity.

The first fiscal year in respect of which the indicators in this Order are applied is fiscal year 2011.

4. Every municipal body to which this Order applies must, before June 30 of the fiscal year following the fiscal year in respect of which the management indicators established in the Schedule are applied, submit to the Minister of Municipal Affairs, Regions and Land Occupancy a document that includes at least the results observed at the end of the fiscal year in question.

5. The document referred to in section 4 must be tabled at a regular meeting of the council or, in the case of an intermunicipal management board, at a meeting of the board of directors.

The first fiscal year in which the document referred to in the first paragraph must be tabled is fiscal year 2012 and the document must include the results observed for fiscal year 2011.

6. This Order replaces the Order of the Minister of Municipal Affairs and Regions respecting the establishment of management indicators pertaining to the administration of certain municipal bodies adopted on December 3, 2007 and that came into force on December 19, 2007.

7. This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

SCHEDULE
2011 Municipal Management Indicators

Function and activity	Indicator	Definition	Formula
Public safety Fire safety	Cost of fire safety per \$100 of assessment	Cost of the fire safety activity per \$100 of assessment	$\frac{\text{Cost of the fire safety activity}}{\text{Standardized real estate value}} \times 100$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Road transportation Municipal roads	Cost of municipal roads per kilometre of road	Cost of the municipal road activity per kilometre of road belonging to the municipal body	$\frac{\text{Cost of the municipal road activity}}{\text{Number of kilometres of roads}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Road transportation Snow removal	Cost of snow removal per kilometre of road	Cost of the snow removal activity per kilometre of road belonging to the municipal body	$\frac{\text{Cost of the snow removal activity}}{\text{Number of kilometres of roads cleared of snow}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Environmental hygiene Water supply, purification and distribution network	Number of breaks per 100 kilometres of pipe Cost of distribution per kilometre of pipe	Number of breaks in the water supply system per 100 kilometres of drinking water pipes, excluding breaks at water inlets Cost of the drinking water distribution activity in relation to the number of kilometres of drinking water pipes belonging to a municipal body	$\frac{\text{Number of breaks in the water supply system}}{\text{Number of kilometres of drinking water pipes}} \times 100$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>

Function and activity	Indicator	Definition	Formula
	Cost of supplying and purifying drinking water per cubic metre of water	Cost assumed by the municipal body to purify one cubic metre of water and for water supply	Cost of the water supply and drinking water purification activity <u>Total number of cubic metres of water purified</u> a) pre-amortization operating costs b) operating costs
	Cost of distribution per cubic metre of water	Cost assumed by the municipal body to distribute one cubic metre of drinking water	<u>Cost of the drinking water distribution activity</u> Number of cubic metres of water circulating in the network a) pre-amortization operating costs – services provided b) operating costs – services provided
Environmental hygiene Wastewater treatment and sewer systems	Cost of treatment per cubic metre of wastewater	Cost of treating one cubic metre of wastewater	<u>Cost of the wastewater treatment activity</u> Number of cubic metres of wastewater treated by the treatment plant a) pre-amortization operating costs b) operating costs
	Cost of sewer systems per kilometre of pipes	Cost of the sewer systems activity per kilometre of sewer pipes, excluding service inlets	<u>Cost of the sewer systems activity</u> Number of kilometres of sewer pipes a) pre-amortization operating costs – services provided b) operating costs – services provided

Function and activity	Indicator	Definition	Formula
	Cost of sewer systems per cubic metre of wastewater	Cost of the sewer systems activity per cubic metre of wastewater	$\frac{\text{Cost of the sewer systems activity}}{\text{Number of cubic metres of wastewater circulating in the systems}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Environmental hygiene Household and similar waste	Cost of collecting household and similar waste by premises	Cost of the household and similar waste collection activities by premises	<p>Cost of the collection, transportation and elimination of household and similar waste activities</p> $\frac{\text{Number of premises served by the collection of household and similar waste}}{\text{Number of premises served by the collection of household and similar waste}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Environmental hygiene Separate collection of recyclable materials	Average annual yield on separate collection	Metric tonnes of recyclable materials (separate collection) collected per inhabitant benefiting from the separate collection service	$\frac{\text{Number of metric tonnes of recyclable materials (separate collection) collected}}{\text{Total number of inhabitants in the territory served by the separate collection service}}$
	Average annual diversion	Percentage of recyclable materials (separate collection) in relation to total household and similar waste and separate collection	$\frac{\text{Number of metric tonnes of recyclable materials (separate collection) collected}}{\text{Number of metric tonnes of household and similar waste and recyclable materials (separate collection) collected}} \times 100$

Function and activity	Indicator	Definition	Formula
Planning, urban planning and development Planning, urban planning and development	Growth in residential assessed value	Percentage of the value of taxable new units and residential renovation in relation to the total value of taxable residential units	$\frac{\text{Value of taxable new units and residential renovations}}{\text{Total value of taxable residential units}} \times 100$
Human resources	Training effort per employee	Number of training hours paid in relation to persons/year	$\frac{\text{Number of hours of training}}{\text{Persons/year}}$
	Percentage of training cost in relation to total remuneration	Percentage of training cost in relation to total remuneration	$\frac{\text{Cost of training}}{\text{Total remuneration}} \times 100$
	Percentage of potential retirements	Percentage of potential retirements within five years after December 31 of the fiscal year under study in relation to the total number of regular employees	$\frac{\text{Number of potential retirements within the next five years}}{\text{Number of regular employees}} \times 100$

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Geologists — Compensation fund

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the compensation fund of the Ordre des géologues du Québec, made by the board of directors of the Ordre des géologues du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines the procedure to compensate a claimant if a geologist uses funds or property for purposes other than those for which they were entrusted by the claimant to the geologist in the practice of the profession, and the conditions for the setting up of a compensation fund and rules for the administration and investment of the sums making up the fund. The draft Regulation also prescribes the maximum compensation that may be paid to all claimants who have filed a claim in respect of a geologist.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Alain Liard, Secretary and Executive Registrar, Ordre des géologues du Québec, 500, rue Sherbrooke Ouest, bureau 900, Montréal (Québec) H3A 3C6; telephone: 514 278-6220 or 1 800 377-7708; fax: 514 844-7556; email: dirgen@ogq.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting the compensation fund of the Ordre des géologues du Québec

Professional Code
(R.S.Q., c. C-26, s. 89.1)

SECTION I SETTING UP A COMPENSATION FUND

1. The Board of Directors of the Ordre des géologues du Québec (the “Ordre”) is to set up a fund to compensate claimants following the use by a geologist of sums or property for purposes other than those for which they were entrusted to the geologist in the practice of his or her profession.

2. The fund is maintained at a minimum level of \$100,000. It is made up of the following amounts, less the administration expenses related thereto:

(1) sums already allocated for this purpose (*indicate here the date this regulation comes into effect*);

(2) sums allocated by the Board of Directors thereto;

(3) contributions established for this purpose;

(4) sums or property recovered from a geologist pursuant to a subrogation or section 159 of the Professional Code (R.S.Q., c. C-26);

(5) interest and other income generated by sums or property that make up the fund;

(6) sums paid by an insurer pursuant to an insurance or reinsurance contract entered into with the Ordre;

(7) sums received by the Ordre for the fund.

SECTION II ADMINISTRATION AND INVESTMENT RULES

3. The Board of Directors of the Ordre manages the compensation fund. It is authorized to enter into any insurance or reinsurance contract for the purposes of the fund and to pay the premiums for such contract from the fund.

4. The accounts kept for the fund shall be separate from those kept for the Ordre.

5. The sums that make up the fund shall be invested as follows:

(1) the portion of the sums that the Board of Directors plans to use in the short term shall be deposited with a financial institution governed by the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01), the Bank Act (S.C. 1991, c. 46), the Act respecting financial services cooperatives (R.S.Q., c. C-67.3) or the Trust and Loan Companies Act (S.C. 1991, c. 45);

(2) the remainder of the sums shall be invested in accordance with section 1339 of the Civil Code of Québec.

SECTION III COMPENSATION PROCEDURE

6. A claim to the fund shall:

- (1) be made in writing;
- (2) set out the supporting facts and be accompanied by all relevant documents;
- (3) indicate the amount claimed;
- (4) be sworn and be filed with the Secretary of the Ordre.

7. The Secretary shall put the claim on the agenda of the first meeting of the Board of Directors held after the claim is filed.

8. For a claim to be admissible, it shall be filed within 12 months from the time the claimant learns that the sums and property are being used for purposes other than those for which he or she entrusted them to the geologist in the practice of the latter's profession.

9. The Board of Directors may extend the time limit provided for in section 8 above if the claimant demonstrates that he or she was unable, on reasonable grounds, to file the claim within the required time limit.

10. A request for investigation sent to the Ordre with respect to facts that could result in a claim to the fund shall be deemed to be a claim within the meaning of section 6 above, if such request is submitted within the time limit provided for in section 8 above.

11. The Board of Directors shall decide, as expeditiously as possible, whether to grant a claim, in whole or in part, and, where applicable, shall establish the compensation in respect thereof. The decision of the Board of Directors shall be final.

Where a decision is made to grant a claim, the claimant shall be paid compensation within 60 days thereof and the claimant shall then sign a release in favour of the Ordre.

12. A decision may be made in respect of a claim, notwithstanding a decision rendered by the disciplinary council, Tribunal des professions or any other competent tribunal with regard to the claimant and geologist concerned.

13. The maximum compensation payable from the fund for the period covered by the fiscal year of the Ordre is set at \$100,000 for all claims in connection with a geologist.

Where the Board of Directors has reasonable grounds to believe that claims exceeding this amount may be filed in connection with a geologist, it may have an inventory drawn up of the sums and property placed in trust with such geologist and shall notify in writing the persons likely to file a claim. It may also suspend payment of compensation until it has assessed all claims in respect of such geologist.

The maximum compensation shall be reconsidered every five years, as of (*indicate here the date this regulation comes into effect*).

1776

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Medical Act
(R.S.Q., c. M-9)

Physicians

- **First surgical assistance activities that may be performed by a nurse**
- **Activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians**
- **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the "Regulation respecting certain first surgical assistance activities that may be performed by a nurse and amending the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians", adopted by the Board of directors of the Collège des médecins du Québec, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

The purpose of this Regulation is to update authorised activities in first surgical assistance. It replaces Section I of the Regulation respecting the activities contemplated in section 31 of the Medical Act that may be engaged in by classes of persons other than physicians (c. M-9, r. 13).

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting, M^e Linda Bélanger, Legal Advisor, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone number: 514 933-4441, extension 5362 or 1 888 633-3246; facsimile number: 514 933-5374, email: lbelanger@cmq.org

Any person having comments to make is asked to transmit them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Those comments will be forwarded by the Office to the Minister of Justice; they may be also forwarded to the professional order that made the Regulation as well as to the persons, departments and agencies concerned.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting certain first surgical assistance activities that may be performed by a nurse and amending the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians

Medical Act
(R.S.Q., c. M-9, s. 19, 1st par., subp. b)

Professional Code
(R.S.Q., c. C-26, s. 94h and 94.1)

1. This regulation identifies the professional activities among those that physicians may perform that, under the terms and conditions prescribed herein, may be performed by the first surgical assistant nurse.

The term “nurse,” wherever it appears in this regulation, refers to both female and male nurses.

2. The first surgical assistant nurse may, as part of providing first assistance to the surgeon and according to a medical prescription, perform the following surgical techniques and clinical activities during a surgical procedure:

- (1) Use and install various complex surgical instruments and devices within the surgical site;
- (2) Snip, manipulate, dissect and remove tissues;
- (3) Perform certain steps of the surgical procedure within the surgical site;
- (4) Choose and apply a hemostatic method at depth;
- (5) Suture deep levels of the surgical wound and tie them at depth.

3. To be authorized to perform the activities described in section 2, nurses must respect the following conditions:

- (1) have a minimum of 24 months of experience in an operating suite during the 5 last years;
- (2) have a certificate for 30 credits of nursing practice as first surgical assistant issued by a Quebec university;
- (3) have a bachelor's degree in nursing including or not the certificate mentioned in paragraph (2);
- (4) have a biennial attestation in advanced care in cardiovascular resuscitation issued by a master instructor recognized by the Heart and Stroke Foundation of Québec, according to the standards of the Handbook of Advanced Cardiovascular Care of the Heart and Stroke Foundation of Canada;
- (5) perform these activities in the following places:
 - (a) a hospital centre operated by an establishment in the meaning of the Act respecting health services and social services (R.S.Q. c. S-4.2) or the Act respecting health services and social services for Cree Native Persons (R.S.Q. c. S-5);
 - (b) a specialized medical centre in the meaning of the Act respecting health services and social services;
 - (c) a private consulting office of professionals in the meaning of the Act respecting health services and social services or the Act respecting health services and social services for Cree Native Persons;

(6) perform this professional activity in the presence of the surgeon responsible for the surgical procedure, except for the opening or closing of the surgical wound, where the surgeon must be present in the building and available at all times to intervene rapidly.

(7) at no time work simultaneously as a nurse in internal service.

4. A nurse may perform the activities described in section 2 if, before (*enter the date of coming into force of this regulation*), she would have satisfied the requirements provided in sections 2 and 4 of the “Regulation on activities contemplated by section 31 of the Medical Act that can be performed by classes of persons other than physicians.” (D. 996-2005).

5. A nurse satisfies the training requirements provided in paragraph 2 of section 3 if she has been issued either:

(1) a registered nurse first assistant (RNFA) certificate upon completion of a program accredited by the Competency and Credential Institute (CCI);

(2) a registered nurse first assistant (RNFA) certificate by the British Columbia Institute of Technology or by the Center for Nursing Studies, Memorial University of Newfoundland.

6. A person registered in a training program leading to the certificate provided in paragraph (2) of section 3 is authorized to perform the activities mentioned in section 2 for the purposes of completing this program, provided that the other conditions provided in this regulation are respected and they are done in a hospital centre operated by an establishment in the meaning of the Act respecting health services and social services or the Act respecting health services and social services for Cree Native Persons.

7. This regulation replaces Section I of Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians (c. M-9, r. 13) and removes, in article 1 of this regulation, “a nurse first surgical assistant,”.

8. This regulation shall come into force on the fifteenth day following the date of publication in the *Gazette officielle du Québec*.

1775

Draft Rules

An Act respecting racing
(R.S.Q., c. C-72.1)

Standardbred horse racing and betting houses — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Rules to amend the Rules respecting certification, the Rules to amend the Rules respecting standardbred horse racing, the Rules to amend the Rules respecting Standardbred horse races held at a Class D race track and the Rules to amend the Rules respecting betting houses, appearing below, may be made by the Régie des alcools, des courses et des jeux on the expiry of 45 days following this publication.

The draft Rules amend the Rules respecting certification (c. C-72.1, r. 1), the Rules respecting Standardbred horse racing (c. C-72.1, r. 4), the Rules respecting Standardbred horse races held at a Class D race track (c. C-72.1, r. 5) and the Rules respecting betting houses (c. C-72.1, r. 8) to allow the relaunching of horse racing and betting houses in Québec.

The draft Rules amend the titles of some of the existing rules to specify whether they apply to professional or amateur race tracks, and increase from 30 to 45 days the period during which a horse’s official performance remains valid.

The draft Rules specify that at least 80% of all the horse races held in Québec must be presented in a betting house, that a minimum of 8 races must be held in each race program at a professional race track, and that a minimum of 5 races must be held in each race program at an amateur race track.

The draft Rules remove the requirement to provide, before obtaining a race track licence, a certificate from the Ministère du Développement durable, de l’Environnement et des Parcs stating that the immovable to be used as a race track and its destination comply with the Environment Quality Act (R.S.Q., c. Q-2) the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1), and the regulations made thereunder. They also remove the requirement, for the holders of horse racing betting house licences applying for the renewal of a licence, of submitting audited annual financial statements showing the income and expenditures of each betting house.

Lastly, the draft Rules specify that a professional race track must have a local for the animal health technician, and assign the power to determine whether or not a race or a race program will be held when the racing judges are unable to adequately fulfill the obligations set out in the Rules.

To date, study of the matter has shown no impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Johanne Lamontagne, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3; telephone: 418 643-3626 or 1 800 363-0320; fax: 418 644-0116; email: johanne.lamontagne@racj.gouv.qc.ca

Any person wishing to comment on the draft Regulations may submit written comments to Johanne Lamontagne, Secretary, Régie des alcools, des courses et des jeux, 560, boulevard Charest Est, 2^e étage, Québec (Québec) G1K 3J3, within the 45-day period.

MTRE. CHRISTINE ELLEFSEN,
*President, Régie des alcools,
des courses et des jeux*

Rules to amend the Rules respecting certification

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103)

1. The Rules respecting certification (c. C-72.1, r. 1) are amended in section 12 by striking out paragraph 5.

2. Section 13 is amended

(1) by replacing “Class A, B or C” in the part preceding paragraph 1 by “professional”;

(2) by replacing “90” in subparagraph *d* of paragraph 1 by “150”;

(3) by replacing paragraph 4 by the following:

“(4) a lighting system producing an intensity not less than 325 lx over the full length of the professional race track, if races are held in the evening.

The same system or an additional system must produce an intensity not less than 2,700 lx across the complete width of the racing strip at the finish line.

All the measures of intensity must be taken at a point situated in the centre of the inside hub rail and 3.7 m from the inside hub rail except at the finish line where the intensity must be uniform on the full width of the racing strip;”;

(4) by inserting “a local for the animal health technician and” before “locals for the racing office” in paragraph 5;

(5) by striking out paragraph 6.

3. Section 14 is amended by replacing “a Class D” in the part preceding paragraph 1 by “an amateur”.

4. Section 15 is amended:

(1) by replacing “meeting” in paragraph 1 by “calendar”;

(2) by replacing “meeting” in paragraph 8 by “calendar”.

5. Section 16 is amended

(1) by replacing “meeting at a Class A, B or C” in the part preceding paragraph 1 by “calendar at a professional”;

(2) by replacing “Standardbred horse racing” in paragraph 4 by “Standardbred horse races held at a professional race track”.

6. Section 17 is amended

(1) by replacing “meeting with pari-mutuel betting at a Class D” in the part preceding paragraph 1 by “calendar with pari-mutuel betting at an amateur”;

(2) by replacing “a Class D” in paragraph 3 by “an amateur”.

7. Section 20 is amended by replacing “meeting” in paragraph 2 by “calendar”.

8. Section 24 is amended by replacing “Rules respecting Standardbred horse racing (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at a Class D race track (c. C-72.1, r. 5)” in paragraph 1 by “Rules respecting Standardbred horse races held at a professional race track (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at an amateur race track”.

9. Section 27 is amended

(1) by replacing “Class A, B, C or D” in paragraph 1 by “professional or amateur”;

(2) by replacing “a Class D” in subparagraph *a* of paragraph 2 by “an amateur”;

(3) by replacing “Class A, B or C” in subparagraph *b* of paragraph 2 by “professional”.

10. Section 33 is amended by replacing “Rules respecting Standardbred horse racing (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at a Class D race track” in paragraph 1 by “Rules respecting Standardbred horse races held at a professional race track (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at an amateur race track”.

11. Section 35 is amended by replacing “Rules respecting Standardbred horse racing (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at a Class D race track” in paragraph 1 by “Rules respecting Standardbred horse races held at a professional race track (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at an amateur race track”.

12. Section 42 is amended by replacing “Rules respecting Standardbred horse racing (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at a Class D race track” in paragraph 1 by “Rules respecting Standardbred horse races held at a professional race track (c. C-72.1, r. 4) and the Rules respecting Standardbred horse races held at an amateur race track”.

13. Section 55 is amended by replacing “Class A, B or C” in the first paragraph by “professional”.

14. Section 56 is amended by replacing “Rules respecting Standardbred horse racing (c. C-72.1, r. 4) and of the Rules respecting Standardbred horse races held at a Class D race track” in subparagraph 1 of the first paragraph by “Rules respecting Standardbred horse races held at a professional race track (c. C-72.1, r. 4), of the Rules respecting Standardbred horse races held at an amateur race track”.

15. Section 57 is replaced by the following:

“**57.** The driver’s licence for:

(1) Classes A and B: authorizes the holder to drive a racehorse in races held at a professional or amateur race track;

(2) Class C: authorizes the holder to drive a racehorse:

(a) in qualifying or schooling races held at a professional race track;

(b) in races held at an amateur race track;

(3) Class D: authorizes the holder to drive a racehorse:

(a) at a special event approved by the Régie and held at a professional or amateur race track;

(b) in races held at an amateur race track.”.

16. Section 63 is amended

(1) by replacing “Class A, B, or C” in subparagraph *a* of paragraph 2 by “professional”;

(2) by replacing “a Class D” in subparagraph *b* of paragraph 2 by “an amateur”.

17. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

Rules to amend the Rules respecting Standardbred horse racing

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103)

1. The Rules respecting Standardbred horse racing (c. C-72.1, r. 4) are amended by replacing the title by the following:

“Rules respecting Standardbred horse races held at a professional race track”.

2. Section 2 is amended by replacing “Class A, B or C” by “professional”.

3. Section 3 is amended by replacing “Class A, B or C” in the part preceding paragraph 1 of the first paragraph by “professional”.

4. Section 6 is amended by replacing “Class A, B or C” in subparagraph 1 of the first paragraph by “professional”.

5. Section 52 is amended by replacing “Class A, B or C” in paragraph 3 by “professional”.

6. The following is inserted after section 76:

76.1. For the purposes of these Rules, at least 8 races must be held during a race program.”.

7. Section 82 is amended by replacing “30” in the first paragraph by “45”.

8. Section 89 is amended by replacing “Class A, B or C” by “professional”.

9. Section 91 is amended by replacing “Class A, B or C” in the part preceding paragraph 1 by “professional”.

10. Section 93 is amended by replacing “Class A, B or C” by “professional”.

11. Section 226 is amended by replacing the first paragraph by the following:

“The president of the racing judges must hold a meeting with the representative of the association and the representative of the participants to determine whether or not a race or a race program should be held when the racing judges are unable to adequately fulfill the obligations set out in section 9 of these Rules or when the protection or safety of persons or horses is compromised.”.

12. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

Rules to amend the Rules respecting Standardbred horse races held at a Class D race track

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103)

1. The Rules respecting Standardbred horse races held at a Class D race track (c. C-72.1, r. 5) are amended by replacing the title by the following:

“Rules respecting Standardbred horse races held at an amateur race track”.

2. Section 2 is amended by replacing “a Class D race track as defined in paragraph 4” by “an amateur race track within the meaning of paragraph 2”.

3. The following is inserted after section 56:

56.1. For the purposes of these Rules, at least 5 races must be held during a race program.”.

4. Section 153 is amended by replacing the first paragraph by the following:

“The president of the racing judges must hold a meeting with the representative of the association and the representative of the participants to determine whether or not a race or a race program should be held when the racing judges are unable to adequately fulfill the obligations set out in section 7 of these Rules or when the protection or safety of persons or horses is compromised.”.

5. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

Rules to amend the Rules respecting betting houses

An Act respecting racing
(R.S.Q., c. C-72.1, s. 103)

1. The Rules respecting betting houses (c. C-72.1, r. 8) are amended in section 1 by inserting “authorizing the holding of a race calendar at a professional race track” after “racing licence”.

2. Section 4 is replaced by the following:

4. For the term of his or her licence, a holder must present in the betting house at least 80% of all the horse races held in Québec during that period.”.

3. Section 5 is revoked.

4. These Rules come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

1787

Treasury Board

Gouvernement du Québec

T.B. 210818, 22 November 2011

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

An Act to amend various pension plans in the public sector
(2010, c. 29)

Government and Public Employees Retirement Plan — Partition and assignment of benefits accrued — Amendment

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 14.4 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may, by regulation, after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act, determine, for the purposes of section 122.2 of the Act, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under subparagraph 14.5 of the first paragraph of section 134 of the Act, the Government may, by regulation, determine, for the purposes of section 122.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under subparagraph 14.6 of the first paragraph of section 134 of the Act, the Government may, by regulation, prescribe, for the purposes of section 122.5, the actuarial rules, assumptions and methods for reducing any sum payable under the Government and Public Employees Retirement Plan, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under subparagraphs 14.2 to 14.6 of the first paragraph of section 134 of the Act, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (c. R-10, r. 7);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 3 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under subparagraphs 14.4 to 14.6 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan has been consulted;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 134, 1st par., subpars. 14.4, 14.5 and 14.6)

An Act to amend various pension plans in the public sector
(2010, c. 29, s. 36, par. 3)

1. The Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (c. R-10, r. 7) is amended by replacing section 7 by the following:

“7. In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 30% of the actuarial value determined for a male and 70% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$$\frac{((1 + \text{interest rate for a non-indexed benefit}) / (1 + \text{indexing rate for a partially-indexed benefit})) - 1}{1}$$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to result of PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”.

2. Section 15 is replaced by the following:

“**15.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”.

3. The following Division is added after section 24.6:

**“DIVISION VI
TRANSITIONAL**

24.7. For the purposes of sections 19, 19.1. and 20, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”.

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1760

Gouvernement du Québec

T.B. 210819, 22 November 2011

An Act respecting the Pension Plan
of Certain Teachers
(R.S.Q., c. R-9.1)

An Act to amend various pension plans in
the public sector
(2010, c. 29)

Pension Plan of Certain Teachers
— **Partition and assignment of benefits accrued**
— **Amendment**

Regulation to amend the Regulation respecting the
partition and assignment of benefits accrued under
the Pension Plan of Certain Teachers

WHEREAS, under paragraph 3 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., c. R-9.1), the Government may, by regulation and after the Commission administrative des régimes de retraite et d’assurances has consulted with the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), determine, for the purposes of section 41.2 of the Act respecting the Pension Plan of Certain Teachers, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under paragraph 4 of section 41.8 of the Act, the Government may, by regulation, determine, for the purposes of section 41.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under paragraph 5 of section 41.8 of the Act, the Government may, by regulation, prescribe, for the purposes of section 41.5 of the Act, the actuarial rules, assumptions and methods for reducing any sum payable under the Pension Plan of Certain Teachers, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under paragraphs 1 and 2 to 5 of section 41.8 of the Act, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers (c. R-9.1, r. 2);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 1 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under paragraphs 3 to 5 of section 41.8 of the Act respecting the Pension Plan of Certain Teachers may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan has been consulted;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers

An Act respecting the Pension Plan of Certain Teachers
(R.S.Q., c. R-9.1, s. 41.8, pars. 3, 4 and 5)

An Act to amend various pension plans in the public sector
(2010, c. 29, s. 36, par. 1)

1. The Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Certain Teachers (c. R-9.1, r. 2) is amended by replacing section 7 by the following:

“7. In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 75% of the actuarial value determined for a male and 25% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$$\left(\frac{(1 + \text{interest rate for a non-indexed benefit})}{(1 + \text{indexing rate for a partially-indexed benefit})} \right) - 1$$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to result of PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4

Inflation level	Addition to result of PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”

2. Section 15 is replaced by the following:

“**15.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”

3. The following Division is added after section 23:

**“DIVISION V
TRANSITIONAL**

23.1. For the purposes of sections 19 and 20, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse

at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1761

Gouvernement du Québec

T.B. 210820, 22 November 2011

An Act respecting the Teachers Pension Plan
(R.S.Q., c. R-11)

An Act to amend various pension plans in the public sector
(2010, c. 29)

**Teachers Pension Plan
— Partition and assignment of benefits accrued
— Amendment**

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan

WHEREAS, under paragraph 9.3 of section 73 of the Act respecting the Teachers Pension Plan (R.S.Q., c. R-11), the Government may, by regulation, after the Commission administrative des régimes de retraite et d’assurances has consulted the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), determine, for the purposes of section 72.2 of the Act respecting the Teachers Pension Plan, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under paragraph 9.4 of section 73 of the Act, the Government may, by regulation, determine, for the purposes of section 72.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under paragraph 9.5 of section 73 of the Act, the Government may, by regulation, prescribe, for the purposes of section 72.5, the actuarial rules, assumptions and methods for reducing any sum payable under the Teachers Pension Plan, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under paragraphs 9.1 to 9.5 of section 73 of the Act, the Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan (c. R-11, r. 2) was made;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 4 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under paragraphs 9.3 to 9.5 of section 73 of the Act respecting the Teachers Pension Plan may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan has been consulted;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan

An Act respecting the Teachers Pension Plan (R.S.Q., c. R-11, s. 73, pars. 9.3, 9.4 and 9.5)

An Act to amend various pension plans in the public sector (2010, c. 29, s. 36, par. 4)

1. The Regulation respecting the partition and assignment of benefits accrued under the Teachers Pension Plan (c. R-11, r. 2) is amended by replacing section 8 by the following:

“8. In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 40% of the actuarial value determined for a male and 60% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$$\frac{((1 + \text{interest rate for a non-indexed benefit}) / (1 + \text{indexing rate for a partially-indexed benefit})) - 1}{1}$$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to result of PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”

2. Section 16 is replaced by the following:

“**16.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”

3. The following Division is added after section 27:

“**DIVISION V**
TRANSITIONAL

27.1. For the purposes of sections 20, 20.1 and 21, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1762

Gouvernement du Québec

T.B. 210821, 22 November 2011

An Act respecting the Civil Service
Superannuation Plan
(R.S.Q., c. R-12)

An Act to amend various pension plans
in the public sector
(2010, c. 29)

**Pension plans provided for by the Act respecting
the Civil Service Superannuation Plan
— Partition and assignment of benefits accrued
— Amendment**

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan

WHEREAS, under paragraph 8.4 of section 109 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12), the Government may, by regulation, after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), determine, for the purposes of section 108.2 of the Act respecting the Civil Service Superannuation Plan, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under paragraph 8.5 of section 109 of the Act, the Government may, by regulation, determine, for the purposes of section 108.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under paragraph 8.6 of section 109 of the Act, the Government may, by regulation, prescribe, for the purposes of section 108.5 of the Act, the actuarial rules, assumptions and methods for reducing any sum payable under the pension plans provided for by the Act, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under paragraphs 8.2 to 8.6 of section 109 of the Act, the Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan (c. R-12, r. 2) was made;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 5 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under paragraphs 8.4 to 8.6 of section 109 of the Act respecting the Civil Service Superannuation Plan may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 163 of the Act respecting the Government and Public Employees Retirement Plan has been consulted;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that

establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan

An Act respecting the Civil Service Superannuation Plan (R.S.Q., c. R-12, s. 109, pars. 8.4, 8.5 and 8.6)

An Act to amend various pension plans in the public sector (2010, c. 29, s. 36, par. 5)

1. The Regulation respecting the partition and assignment of benefits accrued under the pension plans provided for by the Act respecting the Civil Service Superannuation Plan (c. R-12, r. 2) is amended by replacing section 8 by the following:

“8. In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 75% of the actuarial value determined for a male and 25% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$$\frac{((1 + \text{interest rate for a non-indexed benefit}) / (1 + \text{indexing rate for a partially-indexed benefit})) - 1}{}$$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to result of PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”.

2. Section 16 is replaced by the following:

“16. Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”.

3. The following Division is added after section 27:

**“DIVISION V
TRANSITIONAL**

27.1. For the purposes of sections 20, 20.1 and 21, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”.

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1763

T.B. 210822, 22 November 2011

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

An Act to amend various pension plans in the public sector
(2010, c. 29)

Pension plan for federal employees transferred to employment with the gouvernement du Québec — Partition and assignment of benefits accrued — Amendments to the Order in Council

Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec

WHEREAS, under the first paragraph of section 10.0.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), employees of the federal government who transfer to an employment that is pensionable employment under the plan or the Pension Plan of Management Personnel within the framework of an agreement between the Government of Canada and the Gouvernement du Québec may, where the agreement so provides, elect, in accordance with the rules and conditions fixed by the Government, to become members of the Government and Public Employees Retirement Plan, of the Pension Plan of Management Personnel if, in the latter case, they hold employment that is pensionable employment under that plan, or of a pension plan established by the Government in respect of those employees or of each group of employees affected by such an agreement and similar to the plan to which they formerly belonged;

WHEREAS the Government made the Pension plan for federal employees transferred to employment with the Gouvernement du Québec (c. R-10, r. 10);

WHEREAS, under section 10.2 of the Act respecting the Government and Public Employees Retirement Plan, for the purposes of partition of the family patrimony, the Government may render wholly or partly applicable to the plan established pursuant to section 10.0.1 the rules, with the necessary modifications, prescribed in Chapter VII.1 of Title I of the Act or enacted by it under the provisions of that chapter; it may also, for the same purposes, prescribe special provisions concerning the establishment and assessment of the benefits accrued under such plan and the reduction, by reason of payment of the amounts granted to the spouse, of amounts payable under such plan;

WHEREAS the Government made the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec (c. R-10, r. 8);

WHEREAS it is expedient to amend the Order in Council;

WHEREAS, under paragraph 3 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under section 10.2 of the Act respecting the Government and Public Employees Retirement Plan may have effect from any date not prior to 1 January 2011;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Decision could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft amendments were received;

WHEREAS it is expedient to make the amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec, attached to this Decision, are hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Amendments to the Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 10.2)

An Act to amend various pension plans in the public sector
(2010, c. 29, s. 36, par. 3)

1. The Order in Council respecting the partition and assignment of benefits accrued under the Pension plan for federal employees transferred to employment with the gouvernement du Québec (c. R-10, r. 8) is amended by replacing section 6 of the Schedule by the following:

“**6.** In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 60% of the actuarial value determined for a male and 40% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

The interest rates are those determined according to the CIA Standards.

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

The indexing rate is calculated in the manner provided in the CIA Standards.

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”

2. Section 13 of the Schedule is replaced by the following:

“**13.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”

3. The following Division is added after section 18 of the Schedule:

**“DIVISION V
TRANSITIONAL**

19. For the purposes of sections 16 and 17, the amount of pension that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”.

4. These Amendments come into force on the first day of the month that follows by at least 15 days the date of their publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1764

T.B. 210823, 22 November 2011

An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5)

An Act to amend various pension plans in the public sector (2010, c. 29)

**Régime de retraite des employés en fonction
au Centre hospitalier Côte des Neiges
— Partition and assignment of benefits accrued
— Amendment**

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges

WHEREAS, under the first paragraph of section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5), notwithstanding any provision of any Act, regulation or order inconsistent therewith, the Government may, by order, render applicable, in whole or in part and adapted as required, to the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges (O.C. 397-78 dated 16 February 1978) the special measures provided for in Chapter VII.1 of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) and in the regulation thereunder, for the purposes of partition and assignment of benefits between spouses;

WHEREAS, under the second paragraph of that section, the Government may also, by the same order, prescribe special provisions for the establishment and assessment of benefits accrued under the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges and for the reduction of the sums payable under such plan by reason of payment of the sums awarded to the spouse;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS, under section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan, the Conseil du trésor made the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges by Decision C.T. 197248 dated 13 November 2001;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 7 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010, under section 52 of the Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5) as it applies to the Régime de retraite des employés du Centre hospitalier Côte-des-Neiges, may have effect from any date not prior to 1 January 2011;

WHEREAS the consultation provided for in section 40 of the Public Administration Act has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges*

An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan (1990, c. 5, s. 52)

An Act to amend various pension plans in the public sector (2010, c. 29, s. 36, par. 7)

1. The Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges is amended by replacing section 6 by the following:

“**6.** In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 35% of the actuarial value determined for a male and 65% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

The interest rates are those determined according to the CIA Standards.

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

The indexing rate is calculated in the manner provided in the CIA Standards.

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”.

2. Section 13 is replaced by the following:

“**13.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”.

3. The following Division is added after section 18:

* The Regulation respecting the partition and assignment of benefits accrued under the Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges, made by Decision T.B. 197248 dated 13 November 2001 (2001, G.O. 2, 6121), has not been amended.

**“DIVISION V
TRANSITIONAL**

18.1. For the purposes of sections 16 and 17, the amount of pension that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”.

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

1765

T.B. 210824, 22 November 2011

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2)

An Act to amend various pension plans in the public sector
(2010, c. 29)

**Pension Plan of Peace Officers in
Correctional Services
— Partition and assignment of benefits accrued
— Amendment**

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under paragraph 8.3 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), the Government may, by regulation, determine, for the purposes of section 125.2 of the Act, the actuarial rules, assumptions and methods which apply to the assessment of accrued benefits and which may vary according to the nature of the benefits;

WHEREAS, under paragraph 8.4 of section 130 of the Act, the Government may, by regulation, determine, for the purposes of section 125.3 of the Act, the rules and the terms and conditions of payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under paragraph 8.5 of section 130 of the Act, the Government may, by regulation, prescribe, for the purposes of section 125.5 of the Act, the actuarial rules,

assumptions and methods for reducing any sum payable under the Pension Plan of Peace Officers in Correctional Services, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under paragraphs 8.1 to 8.5 of section 130 of the Act, the Government made the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services (c. R-9.2, r. 3);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with paragraph 2 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under paragraphs 8.3 to 8.5 of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services may have effect from any date not prior to 1 January 2011;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation to amend the Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2, s. 130, pars. 8.3, 8.4 and 8.5)

An Act to amend various pension plans in the public sector
(2010, c. 29, s. 36, par. 2)

1. The Regulation respecting the partition and assignment of benefits accrued under the Pension Plan of Peace Officers in Correctional Services (c. R-9.2, r. 3) is amended by replacing section 8 by the following:

“**8.** In this section, the expression “CIA Standards” refers to the standards of practice entitled “Practice-Specific Standards for Pension Plans – 3800 Pension Commuted Values” of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

The actuarial value of the benefits is determined according to the “distribution of benefits” method and corresponds to the sum of 70% of the actuarial value determined for a male and 30% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$((1 + \text{interest rate for a non-indexed benefit}) / (1 + \text{indexing rate for a partially-indexed benefit})) - 1$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation Level	Addition to the result of the PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.”.

2. Section 15 is replaced by the following:

“**15.** Interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VII to the Act respecting the Government and Public Employees Retirement Plan, in effect at the date of assessment. Where that date is prior to 1 June 2001, the applicable interest rate is 5.34%.”.

3. The following Division is added after section 22:

**“DIVISION V
TRANSITIONAL**

22.1. For the purposes of sections 18 and 19, the amount of pension that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.”.

4. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1 and 3 take effect on 1 January 2011.

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Gouvernement du Québec

T.B. 210825, 22 November 2011

An Act respecting the Pension Plan
of Management Personnel
(R.S.Q., c. R-12.1)

An Act to amend various pension plans in
the public sector
(2010, c. 29)

**Pension Plan of Management Personnel
— Certain provisions applicable to the partition
and assignment of benefits accrued**

Regulation respecting certain provisions applicable
to the partition and assignment of benefits accrued
under the Pension Plan of Management Personnel

WHEREAS, under subparagraph 15 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, by regulation, after the Commission administrative des régimes de retraite et d’assurances has consulted the pension committee referred to in section 196.2 of the Act, determine, for the purposes of section 164 of the Act, the actuarial rules, assumptions and methods that apply to the assessment of accrued benefits and that may vary according to the nature of the benefits;

WHEREAS, under subparagraph 16 of the first paragraph of section 196 of the Act, the Government may, by regulation, determine, for the purposes of section 165 of the Act, rules, conditions and terms for the payment of the sums awarded to the spouse and, where applicable, the interest payable thereon;

WHEREAS, under subparagraph 17 of the first paragraph of section 196 of the Act, the Government may, by regulation, prescribe, for the purposes of section 167 of the Act, the actuarial rules, assumptions and methods for reducing any sum payable under the Pension Plan of Management Personnel, which may vary according to the nature of the benefit from which such sum is derived;

WHEREAS, under section 416 of the Act respecting the Pension Plan of Management Personnel, the regulations and orders made under the provisions of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) that are in force on 20 June 2001 are considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as the regulations and orders made under the corresponding provisions of the Act, and they apply, with the necessary modifications, until they are replaced by regulations and orders made under such corresponding provisions;

WHEREAS the Government made the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (c. R-10, r. 7) and the Regulation, in force on 20 June 2001, is considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as a regulation made under the corresponding provisions of the Act, and it applies, with the necessary modifications, until it is replaced by the regulation made under such corresponding provisions;

WHEREAS it is expedient to make special provisions concerning the actuarial rules, assumptions and methods that apply to the assessment and reduction of accrued benefits under the Pension Plan of Management Personnel;

WHEREAS it is expedient to make special provisions concerning the interest payable on the sums awarded to the spouse;

WHEREAS, in accordance with paragraph 6 of section 36 of the Act to amend various pension plans in the public sector (2010, c. 29), the first regulation made after 2 December 2010 under subparagraphs 15 to 17 of the first paragraph of section 196 of the Act respecting the Pension Plan of Management Personnel may have effect from any date not prior to 1 January 2011;

WHEREAS the pension committee referred to in section 196.2 of the Act respecting the Pension Plan of Management Personnel has been consulted;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting certain provisions applicable to the partition and assignment of benefits accrued under the Pension Plan of Management Personnel was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES :

THAT the Regulation respecting certain provisions applicable to the partition and assignment of benefits accrued under the Pension Plan of Management Personnel, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation respecting certain provisions applicable to the partition and assignment of benefits accrued under the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1, s. 196, 1st par., subpars. 15, 16 and 17, and s. 416)

An Act to amend various pension plans in the public sector (2010, c. 29, s. 36, par. 6)

1. The actuarial value of benefits accrued under the Pension Plan of Management Personnel is determined according to the “distribution of benefits” method and corresponds to the sum of 50% of the actuarial value determined for a male and 50% of the actuarial value determined for a female.

The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$((1 + \text{interest rate for a non-indexed benefit}) / (1 + \text{indexing rate for a partially-indexed benefit})) - 1$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate

calculated in the manner provided in subparagraph *a* over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to the result of the PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. IR-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.

In this section, the expression “CIA Standards” refers to the standards of practice entitled Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

2. Where the Commission administrative des régimes de retraite et d’assurances makes the payment of sums awarded to the spouse as a result of the partition or assignment of benefits accrued under the plan, interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VIII to the Act, in effect at the date of assessment. Where that date is prior to 1 July 2002, the applicable interest rate is 5.34%.

3. For the purposes of sections 19, 19.1 and 20 of the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan (c. R-10, r. 7), as it applies to the Pension Plan of Management Personnel, the amount of pension or pension credit that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.

In addition, for the purposes of those sections, a reference to section 7 of that Regulation must be read as a reference to section 1 of this Regulation if the benefits were assessed in accordance with section 1 of this Regulation.

4. For the purposes of the Pension Plan of Management Personnel, sections 7 and 15 of the Regulation respecting the partition and assignment of benefits accrued under the Government and Public Employees Retirement Plan are revoked. However, section 7 remains in force in the situations referred to in the first paragraph of section 3 of this Regulation.

5. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1, 3 and 4 take effect on 1 January 2011.

Gouvernement du Québec

T.B. 210826, 22 November 2011

An Act respecting the Pension Plan
of Management Personnel
(R.S.Q., c. R-12.1)

Supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel

— Certain provisions relating to the partition and assignment of benefits accrued

Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel

WHEREAS, under the first paragraph of section 208 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., c. R-12.1), the Government may, with respect to classes of employees designated under the first paragraph of section 23 of the Act, establish a plan that provides for supplementary benefits payable from the date of retirement and the Government may also provide in the plan for the payment of benefits to the spouses of such employees;

WHEREAS the Government made the Order in Council respecting the provisions respecting the determination of supplementary benefits in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel (c. R-12.1, r. 3);

WHEREAS, under the second paragraph of section 208 of the Act, it is provided that benefits accrued during marriage or a civil union under the supplementary benefits plan form part of the family patrimony established under the Civil Code and, in that respect, the Government may render all or some of the rules contained in Chapter VIII or enacted under that chapter applicable to the plan; it may also prescribe special rules governing the determination and assessment of the supplementary benefits so granted;

WHEREAS, under the fourth paragraph of section 208 of the Act, an order under the first or second paragraph may have effect 12 months or less before it is made;

WHEREAS it is expedient to render the rules provided for in Chapter VIII of the Act applicable, with the necessary modifications, to the supplementary benefits plan in

respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel;

WHEREAS, under section 416 of the Act respecting the Pension Plan of Management Personnel, the regulations and orders made under the provisions of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) that are in force on 20 June 2001 are considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as the regulations and orders made under the corresponding provisions of the Act, and they apply, with the necessary modifications, until they are replaced by regulations and orders made under such corresponding provisions;

WHEREAS the Government made the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (c. R-10, r. 6), and that Order in Council, in force on 20 June 2001, is considered, for the purposes of the Act respecting the Pension Plan of Management Personnel, as an order made under the corresponding provisions of the Act, and it applies, with the necessary modifications, until it is replaced by the regulation made under such corresponding provisions;

WHEREAS it is expedient to render the rules provided for in sections 2 and 3 of the Regulation respecting certain provisions applicable to the partition and assignment of benefits accrued under the Pension Plan of Management Personnel, made by Decision C.T. 210825 dated 22 November 2011, applicable to the supplementary benefits plan, with the necessary modifications;

WHEREAS it is expedient to make special provisions concerning the actuarial rules, assumptions and methods that apply to the assessment of benefits accrued under the supplementary benefits plan in respect of certain classes of employees under section 208 of the Act respecting the Pension Plan of Management Personnel;

WHEREAS, in accordance with section 40 of the Public Administration Act (R.S.Q., c. A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except the powers referred to in paragraphs 1 to 6 of section 40;

WHEREAS the consultation has taken place;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel was published in Part 2 of the *Gazette officielle du Québec* of 13 July 2011 with a notice that the Regulation could be made by the Conseil du trésor on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
GEORGES BOULET

Regulation respecting certain provisions relating to the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan of Management Personnel
(R.S.Q., c. R-12.1, ss. 208 and 416)

1. The actuarial value of the benefits of the supplementary benefits plan in respect to classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel is determined according to the “distribution of benefits” method and corresponds to the sum of 75% of the actuarial value determined for a male and 25% of the actuarial value determined for a female. The actuarial value of the benefits is also determined according to the following actuarial assumptions:

(1) the mortality rates:

The mortality rates are those determined according to the CIA Standards.

(2) the interest rates:

(a) the interest rates for fully-indexed or non-indexed benefits are those determined according to the CIA Standards;

(b) the interest rates for partially-indexed benefits are determined according to the following formula:

$$((1 + \text{interest rate for a non-indexed benefit}) / (1 + \text{indexing rate for a partially-indexed benefit})) - 1$$

The result must be adjusted according to the CIA Standards.

(3) the indexing rate:

(a) the indexing rate for a benefit fully-indexed by the rate of increase in the Pension Index is calculated in the manner described in the CIA Standards;

(b) the indexing rate for a benefit indexed by the excess of the rate of increase in the Pension Index (PI) over 3% or by half of the rate of increase in the Pension Index corresponds respectively to the excess of the indexing rate calculated in the manner provided in subparagraph a over 3% or by half the indexing rate calculated in the manner provided in that subparagraph.

In order to take into account inflation rate variations, the following additions are made to the results of the effective indexing formulas for actuarial value calculation purposes:

Inflation level	Addition to the result of the PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
0.5	0.1	0.1	0.05	0.3
1.0	0.1	0.1	0.10	0.6
1.5	0.3	0.3	0.15	0.9
2.0	0.5	0.5	0.20	1.2
2.5	0.7	0.7	0.15	1.4
3.0	1.0	1.0	0.20	1.7

Inflation level	Addition to the result of the PI-3% formula	Adjusted indexing rate	Addition to the result of the 50% PI, min. PI-3% formula	Adjusted indexing rate
3.5	0.8	1.3	0.25	2.0
4.0	0.6	1.6	0.30	2.3
4.5	0.5	2.0	0.45	2.7
5.0	0.4	2.4	0.50	3.0

(4) the turnover rate: Nil

(5) the disability rate: Nil

(6) the proportion of married persons at death:

Age	Male	Female
18-64 years old	85%	65%
65-79 years old	80%	30%
80-109 years old	60%	10%
110 years old	0%	0%

(7) the age difference between spouses at death:

(a) the male spouse of the beneficiary is assumed to be 1 year older;

(b) the female spouse of the beneficiary is assumed to be 4 years younger.

In this section, the expression “CIA Standards” refers to the standards of practice entitled Practice-Specific Standards for Pension Plans—3800 Pension Commuted Values of the Canadian Institute of Actuaries, effective since 1 February 2005 and periodically revised.

2. Where the Commission administrative des régimes de retraite et d’assurances makes the payment of sums awarded to the spouse as a result of the partition or assignment of benefits accrued under the supplementary benefits plan, interest compounded annually and accrued from the date of assessment to the date of payment must be added to the sums awarded to the spouse at the rate in Schedule VIII to the Act, in effect at the date of assessment. Where that date is prior to 1 July 2002, the applicable interest rate is 5.34%.

3. For the purposes of sections 14 and 15 of Schedule I to the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan (c. R-10, r. 6), as it applies to the Pension Plan of Management Personnel, the amount of pension that would be obtained on the basis of the sums awarded to the spouse at the date of assessment is established at that date according to the actuarial method and assumptions that were used for the assessment of benefits accrued.

In addition, for the purposes of those sections 14 and 15, a reference to section 5 of Schedule I to that Order in Council must be read as a reference to section 1 of this Regulation if the benefits were assessed in accordance with section 1 of this Regulation.

4. For the purposes of the Act respecting the Pension Plan of Management Personnel, sections 5 and 10 of Schedule I to the Order in Council respecting the partition and assignment of benefits accrued under the supplementary benefits plan in respect of classes of employees designated under section 220.1 of the Act respecting the Government and Public Employees Retirement Plan are revoked. Despite the foregoing, section 5 remains in force in the situations referred to in the first paragraph of section 3 of this Regulation.

5. This Regulation comes into force on the first day of the month that follows by at least 15 days the date of its publication in the *Gazette officielle du Québec*. However, sections 1, 3, and 4 take effect on 1 January 2011.

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Notices

Notice

An Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1)

Delegation of certain powers of the enterprise registrar (ALPE, section 6)

WHEREAS, under section 300 of the Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1), hereinafter referred to as the “ALPE,” the Minister of Revenue is responsible for the administration of that Act;

WHEREAS, in accordance with section 1 of the ALPE, the Minister of Revenue appointed the enterprise registrar, who is an employee of the Agence du revenu du Québec;

WHEREAS, in accordance with section 4 of the ALPE, the Minister of Revenue has designated employees of the Agence du revenu du Québec to assist the enterprise registrar in the functions of office;

WHEREAS section 6 of the ALPE provides that the enterprise registrar may, by order and with the concurrence of the Minister of Revenue, delegate powers to the employees assisting the enterprise registrar;

WHEREAS, under that section, the order must be published in the *Gazette officielle du Québec*;

WHEREAS the enterprise registrar exercises powers under, in particular, the ALPE, the Business Corporations Act (R.S.Q., c. S-31.1) and those provisions of the Companies Act (R.S.Q., c. C-38) that remain in force;

WHEREAS, in accordance with a notice dated April 20, 2011 (2011, *G.O.* 2, 995), the enterprise registrar delegated certain powers to the employees identified therein;

WHEREAS it is expedient to replace the delegation of powers set out in that notice, in order to provide for the replacement of one of the employees identified.

In my capacity as enterprise registrar, in accordance with section 6 of the ALPE, I delegate to the employees identified hereinafter the powers referred to in the following provisions:

Sections 132 to 138 of the Act respecting the legal publicity of enterprises (R.S.Q., c. P-44.1), sections 25 to 28 of the Business Corporations Act (R.S.Q., c. S-31.1) and sections 18.1 to 20, 123.27.1 to 123.27.5, 221.1 and 221.2 of the Companies Act (R.S.Q., c. C-38).

DIRECTION DU REGISTRARE DES ENTREPRISES

Service d’expertise, de la qualité du registre et des recours

- Ms. Céline Gingras
- Mr. Jean-François Guay
- Mr. Christian Lajoie
- Ms. Line Petitclerc
- Mr. Denis Racine
- Mr. Mathieu Tremblay

Section 110 and subsection (2) of section 113 of the Companies Act

DIRECTION DU REGISTRARE DES ENTREPRISES

Service d’expertise, de la qualité du registre et des recours

- Mr. Jean-François Guay
- Mr. Christian Lajoie
- Mr. Denis Racine
- Mr. Mathieu Tremblay

And I have signed at Québec, this 11th day of October 2011

YVES BANNON,
Enterprise Registrar

CONCURRENCE OF THE MINISTER OF REVENUE

Pursuant to section 6 of the ALPE, the Minister of Revenue, represented here by the president and chief executive officer of the Agence du revenu du Québec, who is duly authorized to act under section 8 of the Act respecting the Agence du revenu du Québec, concurs with this delegation of certain powers of the enterprise registrar.

And I have signed at Québec, this 11th day of October 2011

JEAN ST-GELAIS,
President and Chief Executive Officer of the Agence du revenu du Québec

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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Pension plan for federal employees transferred to employment with the gouvernement du Québec — Amendments to the Order in Council respecting the partition and assignment of benefits accrued	3696	M
(An Act to amend various pension plans in the public sector, 2010, c. 29)		
Pension Plan of Certain Teachers — Partition and assignment of benefits accrued	3689	M
(An Act respecting the Pension Plan of Certain Teachers, R.S.Q., c. R-9.1)		
Pension Plan of Certain Teachers — Partition and assignment of benefits accrued	3689	M
(An Act to amend various pension plans in the public sector, 2010, c. 29)		
Pension Plan of Certain Teachers, An Act respecting the... — Pension Plan of Certain Teachers — Partition and assignment of benefits accrued	3689	M
(R.S.Q., c. R-9.1)		
Pension Plan of Management Personnel — Certain provision applicable to the partition and assignment of benefits accrued	3702	N
(An Act respecting the Pension Plan of Management Personnel, R.S.Q., c. R-12.1)		
Pension Plan of Management Personnel — Certain provision applicable to the partition and assignment of benefits accrued	3702	N
(An Act to amend various pension plans in the public sector, 2010, c. 29)		
Pension Plan of Management Personnel, An Act respecting the... — Pension Plan of Management Personnel — Certain provision applicable to the partition and assignment of benefits accrued	3702	N
(R.S.Q., c. R-12.1)		
Pension Plan of Management Personnel, An Act respecting the... — Supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel — Certain provision relating to the partition and assignment of benefits accrued	3705	N
(R.S.Q., c. R-12.1)		
Pension Plan of Peace Officers in Correctional Services — Partition and assignment of benefits accrued	3700	M
(An Act respecting the Pension Plan of Peace Officers in Correctional Services, R.S.Q., c. R-9.2)		
Pension Plan of Peace Officers in Correctional Services — Partition and assignment of benefits accrued	3700	M
(An Act to amend various pension plans in the public sector, 2010, c. 29)		
Pension Plan of Peace Officers in Correctional Services, An Act respecting the... — Pension Plan of Peace Officers in Correctional Services — Partition and assignment of benefits accrued	3700	M
(R.S.Q., c. R-9.2)		
Pension plans provided for by the Act respecting the Civil Service Superannuation Plan — Partition and assignment of benefits accrued	3693	M
(An Act respecting the Civil Service Superannuation Plan, R.S.Q., c. R-12)		
Pension plans provided for by the Act respecting the Civil Service Superannuation Plan — Partition and assignment of benefits accrued	3693	M
(An Act to amend various pension plans in the public sector, 2010, c. 29)		

Physicians — First surgical assistance activities that may be performed by a nurse — Activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians	3680	Draft
(Medical Act, R.S.Q., c. M-9)		
Physicians — First surgical assistance activities that may be performed by a nurse — Activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians	3680	Draft
(Professional Code, R.S.Q., c. C-26)		
Professional Code — Geologists — Compensation fund	3679	Draft
(R.S.Q., c. C-26)		
Professional Code — Physicians — First surgical assistance activities that may be performed by a nurse — Activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians	3680	Draft
(R.S.Q., c. C-26)		
Public Curator Act — Regulation	3665	M
(R.S.Q., c. C-81)		
Racing, An Act respecting... — Standardbred horse racing and betting houses	3682	Draft
(R.S.Q., c. C-72.1)		
Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges — Partition and assignment of benefits accrued	3698	M
(An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan, 1990, c. 5)		
Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges — Partition and assignment of benefits accrued	3698	M
(An Act to amend various pension plans in the public sector, 2010, c. 29)		
Safety and welfare of cats and dogs	3658	N
(Animal Health Protection Act, R.S.Q., c. P-42)		
Scale of fees and duties related to the development of wildlife	3672	Draft
(An Act respecting the conservation and development of wildlife, R.S.Q., c. C-61.1)		
Standardbred horse racing and betting houses	3682	Draft
(An Act respecting racing, R.S.Q., c. C-72.1)		
Supplementary benefits plan in respect of classes of employees designated under section 208 of the Act respecting the Pension Plan of Management Personnel — Certain provision relating to the partition and assignment of benefits accrued	3705	N
(An Act respecting the Pension Plan of Management Personnel, R.S.Q., c. R-12.1)		
Teachers Pension Plan — Partition and assignment of benefits accrued	3691	M
(An Act respecting the Teachers Pension Plan, R.S.Q., c. R-11)		
Teachers Pension Plan — Partition and assignment of benefits accrued	3691	M
(An Act to amend various pension plans in the public sector, 2010, c. 29)		
Teachers Pension Plan, An Act respecting the... — Teachers Pension Plan — Partition and assignment of benefits accrued	3691	M
(R.S.Q., c. R-11)		

Unclaimed Property Act — Coming into force of certain provisions of the Act (2011, c. 10)	3654	
Various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan, An Act to amend... — Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges — Partition and assignment of benefits accrued (1990, c. 5)	3698	M
Various pension plans in the public sector, An Act to amend... — Government and Public Employees Retirement Plan — Partition and assignment of benefits accrued (2010, c. 29)	3687	M
Various pension plans in the public sector, An Act to amend... — Pension plan for federal employees transferred to employment with the gouvernement du Québec — Amendments to the Order in Council respecting the partition and assignment of benefits accrued (2010, c. 29)	3696	M
Various pension plans in the public sector, An Act to amend... — Pension Plan of Certain Teachers — Partition and assignment of benefits accrued (2010, c. 29)	3689	M
Various pension plans in the public sector, An Act to amend... — Pension Plan of Management Personnel — Certain provision applicable to the partition and assignment of benefits accrued (2010, c. 29)	3702	N
Various pension plans in the public sector, An Act to amend... — Pension Plan of Peace Officers in Correctional Services — Partition and assignment of benefits accrued (2010, c. 29)	3700	M
Various pension plans in the public sector, An Act to amend... — Pension plans provided for by the Act respecting the Civil Service Superannuation Plan — Partition and assignment of benefits accrued (2010, c. 29)	3693	M
Various pension plans in the public sector, An Act to amend... — Régime de retraite des employés en fonction au Centre hospitalier Côte des Neiges — Partition and assignment of benefits accrued (2010, c. 29)	3698	M
Various pension plans in the public sector, An Act to amend... — Teachers Pension Plan — Partition and assignment of benefits accrued (2010, c. 29)	3691	M

